Englands Grievances
In TIMES of
POPERY.

Drawn out of the
Canon Law, Decretal Epistles, and
Histories of those Times.

WITH

REASONS why all Sober

PROTESTANTS

May Expect no better Dealing from the

Roman-Catholicks,

Should GOD for their Sins, suffer
them to fall under the

Popes Tyranny

AGAIN.

Collected for the Information and Satisfaction of the
English Nation *at this Time.*

LONDON, Printed for *Joseph Collyer* and *Stephen Foster*, and are to be sold at the *Angel* on *London-Bridge*, a little below the *Gate*. 1679.

To his much Honoured Friends,

RICHARD DUKE

of *OTTERTON*,

High-Sheriff of the County of *DEVON*.

AND TO

CLEMENT HERNE

of *HAVERINGLAND*

In the County of *NORFOLK*

ESQUIRES.

The AUTHOR Dedicateth this Insuing Treatise: Intituled, *England's Grievances in Times of Popery.*

ENGLAND'S Grievances in Times of *POPERY.*

SECTION 1.

IT appeareth as well by the Pope's Laws delivered in Decretal Epiſtles, which were particularly, and upon ſundry occaſions directed to the Biſhops and other Clergy-men of this Realm of *England* in Popiſh times; as alſo by the report of our Engliſh Hiſtories; that at ſuch time as the Biſhop of *Rome* had his full ſway in this Realm, the Authority of the King was ſo obſcured, as there was hardly left any ſhew of his Sword and Dignity. And on the other ſide, the Subjects deſtitute of ſuccour by their Natural Prince, and left to a moſt miſerable ſpoil and rapine of the Pope, and of ſuch as it pleaſed him to give them in prey; whereof theſe ſpecial Grievances here collected, may ſerve for teſtimony; beſides a number of others, which come not to my memory; but may be eaſily ſupplied by any indifferent mans careful Reading.

GRIEVANCES.

1. The firſt Grievance was, *The Exemption of the Clergy*; who being a conſiderable part of the Realm, by reaſon that great numbers as well looking to Preferments that then were beſtowed upon that State; as alſo drawn by Priviledges and Immunities which they infinitely enjoyed above others, ſought to be of that number, were wholly exempt (or at leaſt ſo took themſelves to be) from all Juriſdiction of the King and his Juſtices, not in Eccleſiaſtical Cauſes only, as then they were termed, but even in Cauſes Civil, and in Matters of Crime; though the ſame touched the Prince and his Danger in the higheſt degree. Exemption of the Clergy.

The Popes Laws to this purpoſe are to be ſeen in *C. Clerici extr. de Judiciis, C. ſeculares de foro competenti in 6°.* and a ſpecial Conſtitution Provincial of this Realm made by *Boniface* Archbiſhop of *Canterbury* in the time of King *Henry* the Third, in the Council of *Weſtminſter* or *Lambeth Anno* 1270 or 1272. *vid. Prynne's* Exact Hiſtory of Pope's Intollerable Uſurpations upon the Liberties of the King and Subjects of *England* and

Ireland: Vol. 2. lib. 4. c. 3. Johan. de Aton. Constitut. Guil. Lindwood.

Touching the Practice, it is recorded in the Decretals that Pope *Alexander* III. in the time of the Reign of King *Stephen*, wrote to the Bishop of *London*, to take Order by his Jurisdiction in a Civil Controversie of Goods left in the Custody of a Clerk; *c. 1. de Deposito.*

Likewise it doth there appear, that in the time of King *Henry* II. Pope *Lucius* III. wrote to the Bishops of *Ely* and *Norwich*, to compel a Clerk to save his Sureties harmless: And to like purpose he wrote in another Case to the Archbishop of *Canterbury*.

King *Henry* III. pretending Title by his Prerogative, or by the Common Law, to certain Lands, which the Archbishop of *Canterbury* claimed to be parcel of the possessions of his Church, was compelled to answer the Bishop in that Cause in the Court of *Rome*. *Mat. Paris fol.* 494.

Adam Tarlton, or *d'Orlton*, Bishop of *Hereford*, in a Parliament holden at *London* in the year 1324, was accused of Treason against King *Edward* II. as having aided the *Mortimers* with Men and Money against that King. Being brought before the King, and claiming his Priviledge to be judged by the Pope, he was forthwith rescued by the rest of the Clergy. After a few dayes the King caused him to be brought before him, and when he should have been arraigned (a thing till that time never heard of, that a Bishop should be arraigned) the boldness of the three Archbishops of *Canterbury*, *York*, and *Dublin*, was very strange; for they, with ten other Bishops, with their Crosses erected, came to the Bar before the Kings Justices, and took him from thence into their own Custody. In his absence he was attainted with High Treason notwithstanding, and his Temporalties were seized into the King's hand, until such time as the King (much by his device and machination) was deposed of his Kingdom. But though the King took away his goods, yet he was not suffered to meddle with his Body. *Tho. Walsingham Hist. Angl. p.* 98, 99.

SECT. 2.

Restraint of making Laws for Policy.

2. Whatsoever Laws the King in his Parliament made, which in any sort impeached the Priviledge or Liberty of the Clergy, or touched their Lands or Goods, were for that time holden by the Pope and his Clergy, void, and of no force. And it helped not the King, how just cause soever he pretended of any right appertaining to his Ancestors.

For so are the Popes Laws in precise terms, save that some of the later sort reserve to the King, Laws touching Services, and some other rights in Church lands. *c. qu. Ecclesiarum de Constit. c. Eccles. Sanct. Alar. c. Noverit. & c. Gravem, de Sententia Excommunicationis.*

And

And ſome Popes were ſo jealous over Princes in the Point, that they refuſed to allow Laws by them made to the benefit of the Church. As where *Baſil* Lieutenant to *Odoacer* King of the *Lombards*, provided by Law in favour of the Church, that no Preſcription ſhould make his Title good, who had bought ought of the Church; the Pope miſliking that a Lay-man ſhould deal in thoſe Cauſes, diſannulled the Law. *c. Nec quidem, Diſtinct. 96.*

The practice of this injury is notable in the dealing of *Thomas* Archbiſhop of *Canterbury* with King *Henry* II. For whereas the King in his Parliament had made very reaſonable Laws in maintainance of the Ancient Rights of the Crown, againſt the licentious Liberties claimed by the Clergy: Among which, one was, That Clerks in Cauſes of Felony and Murther, ſhould be tried by the Laws of the Realm (for that it was ſhewed unto the Parliament that then an hundred Murthers had been committed by Church-men, not duly puniſhed) whereto the ſaid Archbiſhop and the reſt of the Prelats gave their conſents, and bound themſelves to the obſervation of them by their Oaths; the Archbiſhop afterwards grudging at theſe Laws, departed the Realm, obtained at the Pope's hand Abſolution from his Oath, and forced the King to anſwer for thoſe Laws in the Court of *Rome*; where the King finding no favour, that Garboil inſued, which after fell out betwixt the King, the Pope, and the Archbiſhop; and many Murthers committed upon Clerks by the Lay-ſubjects, who greatly ſtomached this Indignity offered to the King.

So *Nubrigenſis* noteth, *Lib. 2. cap. 16.*

The Pope fearing two ſuch Potentates as the Kings of *England* and *France*, determineth to labour a Reconciliation betwixt the King and the Archbiſhop, and to make the French King a Mediator for the Archbiſhop. This he effected, and brought the two Kings together at *Paris*. Thither alſo came *Thomas Becket*, who being come into the King's preſence, falling down upon his knees, uſed theſe words, *My Lord and Soveraign, I do here commit unto your own judgment the Cauſe and Controverſie between us, ſo far forth as I may*, ſalvo honore Dei; *ſaving the honour of God.* The King being much offended with that laſt Expreſſion [*Salvo honore Dei*] turned himſelf about unto the French King, and ſaid, *See you not, how he goeth about to deludge me with this Clauſe* [Saving the honour of God,] *for whatſoever ſhall diſpleaſe him, he will by and by alledge to be prejudicial to the honour of God: But this I will ſay to you, whereas there have been Kings of* England, *many before me; whereof ſome were peradventure of greater power than I, the moſt far leſs; and again, many Archbiſhops before this man, holy and notable men. Look what Duty was ever performed by the great-*

Mat. Paris Hiſt. Angl. fol. 134, 135.

Godwin's Catalogue of Engliſh Biſhops.

eſt

est Archbishop that ever was, to the weakest and simplest of my Predecessors. Hereunto the Archbishop answered cunningly and stoutly, *That the times were altered, his Predecessors, which could not bring all things to pass at the first dash, were content to bear with many things; and that (as men) they fell, and omitted their Duty often times: that what the Church had gotten was by the diligence of good Prelates, whose Example he would follow thus far forth, as that if he could not augment the Priviledges of the Church in his time, yet ye would never consent they should be diminished.* This Answer being heard, all Men cried shame upon him, imputing the cause of these stirs upon him; and so they parted at that time without reconciliation.

Another instance I will give, namely, that of Cardinal *Pool*, who in the Dispensation granted to the Realm in the time of Queen *Mary*, for determining Church Lands, *&c.* Doth therein plainly declare, that it was of favour, and in regard of the Peace of the Realm, that he so dispensed; otherwise all Laws made in derogation of the Churches Rights, were void.

SECT. 3.

The King forbidden to levy Subsidies upon the Clergy.

3. The Pope dischargeth the Clergy from all Payments of Money imposed by any Temporal Prince, be it by way of Taxe or of Subsidy, or for what necessity of his Realm soever, except the Pope be first made privy thereto, and give his assent: And Clerks yielding to such Imposition, do thereby fall into the Popes Curse.

So are his Laws in *c. adversus. Ext. de Immunitate Ecclesiarum, c. 1. de Immunit. Ecclesiar. in sexto c. Clericis, eodem.*

Roger Hoveden Annal pars posterior p. 811, 817 Matth Paris p. 146, 157, 194, Holinshed p. 1[illegible] 163, 170, Godwin in his Life.

King *John* demanding of his Subjects, as well Spiritual as Temporal, a thirteenth part of their Goods and Chattels, *Geoffery Plantaginet*, Archbishop of *York*, the Kings base Brother, opposed it. So saith Mr. *Prynne* out of divers Authors, That he obstructed the levying of *Carvage* (demanded and granted to the King by common consent, and paid by all others) on the Demesne Lands of his Church or Tenants, beating the Sheriff of *York*'s Servants, excommunicating the Sheriff himself by Name, with all his Aiders, and interdicted his whole Province of *York* for attempting to levy it. Wherefore the King incensed for these intollerable Affronts, summoned him to answer these high Contempts; his not going over with him into *Normandy*, when summoned; and also to pay him 3000 Marks due to his Brother King *Richard*: and by his Writs commanded all the Archbishops Servants (where-ever they were found) to be imprisoned (as they were) for beating the Sheriffs Officers, and denying to give the King any of the Archbishops Wine passing through *York*; summoned

moned *Geoffery* into his Court to anſwer all theſe Contempts; and iſſued Writs to the Sheriff of *Yorkſhire*, to ſeize all his Goods, Temporalties, and to return them into the Exchequer, which was executed accordingly. The King and Queen repairing to *York* the next Mid-Lent, the Archbiſhop upon more ſober thoughts, made his Peace with the King, ſubmitted to pay ſuch a Fine for his Offences, as four Biſhops, and four Barons elected by them, ſhould adjudge, and abſolved *William de Stutvil* the Sheriff, and *James de Paterna*, whom he had excommunicated, and recalled his former *Interdict*.

King *Edward* the Firſt was in a like caſe reſiſted, by means of *Robert Kilwarby*, Archbiſhop of *Canterbury*. For when the King in Parliament, holden at St. *Edmonds-bury*, demanded there a Subſidy of his Subjects, the Temporalty yielded an Eighth part of the Goods of Citizens and Burgeſſes; and of other Lay Perſons the twelfth part: but the Clergy encouraged by the Archbiſhop, who had procured from Pope *Boniface* the VIII Immunity from Subſidies (which I take to be the ſame that is before recited, *Ex. c. 1. de Immunitate Eccleſiarum in Sexto*) refuſed to yield any thing; whereupon the King called another Parliament at *London* without the Clergy, where the Goods of the whole Clergy were declared to be forfeited to the King; ſo as afterwards moſt of the Clergy were content with any condition to redeem that forfeiture.

This is reported by *William Thorn* a Monk of *Canterbury*

SECT. IV.

4. The Kings own Subjects were by the Pope armed with Cenſures of Excommunication, Interdiction, *&c.* by them to be denounced againſt him, for redreſs of ſuch wrongs as it pleaſeth them to take themſelves injured by.

Subjects Armed againſt their Soveraign.

Pope *Innocent* IV. hath decreed, that a Prelate having wrong offered him by a Temporal Judge, may defend himſelf with the Spiritual Sword of Excommunication. *c. Dilecto. De ſententia Excommunicationis in Sexto.*

In the Fortieth year of King *Henry* the Third, *Boniface*, Archbiſhop of *Canterbury*, made a large Conſtitution, wherein he ſetteth forth how the Clergy ſhall proceed againſt the King, by whoſe Writ a Clerk is called in his Court to anſwer for Matters pertaining to the Eccleſiaſtical Judge; and declareth that it ſhall be lawful to interdict all the Kings Lands and Poſſeſſions. This Archbiſhop had ſummoned a Council of Biſhops and Archdeacons, that like the Martyr *Thomas* (ſaith *Matthew Paris*) he might encounter the Enemies and Rebels of the Church, and be a Wall of Defence unto it, as was pretended. The King directed his Prohibitions to him and the Biſhops, not to meet

in

in this Council, which they contemn. The Articles and Canons made in that Council, were against the Kings Prerogative Ecclesiastical and Temporal; his Temporal Judges, Courts, Laws, Prohibitions, Writs, and Judgments: Exempting of themselves, their Clerks, Officers, Lands and Goods, from their Secular Jurisdiction, and Judicatures: Decreeing Interdicts and Excommunications against the King, his Judges, Officers, Lands, Castles, and Lay-subjects, for which Liberties they resolved to contend even unto Death. The Archbishop was forced by the King and Barons, to fly the Kingdom for this and other like Constitutions, against whom they complained, appealed, and sent their Proctors to *Rome*. Which Constitutions are yet Printed in *Lyndewood* and *Aton*, and urged for the Canon-Law of this Realm by some aspiring Prelates, and Ignorant Canonists of late times (saith Mr. *Prynne*) though always opposed in such manner as hath been related; yea, totally neglected, or seldome put in use in times of Popery by those which made them: as *Lyndewood* himself acknowledgeth in his Epistle to *Henry* Archbishop of *Canterbury*, before his *Provinciale*.

Prynn's Exact Hist. vol. 2.

SECT. V.

The Kings Prohibitions Contemned.

5. The King's Prohibition disobeyed by the Popes Warrant is another Grievance complained of in those days. For Pope *Eugenius* hath so decreed, That no Spiritual Judge shall stay from proceeding in any Cause termed Ecclesiastical, in regard of the Kings Prohibitions; *c. Decernimus Extra de judiciis.*

The Prohibitions sent by our Kings, their Council, Courts, Judges, to Archbishops, Bishops, Archdeacons, Officials, and other Ecclesiastical Persons, were some of them against admitting Clerks to Benefices or Prebendaries, till the Title were tried in the Kings Courts. Some against holding Plea of Advowsons of Chappels, Churches, Prebendaries; or determining the Rights of Patronages to Churches: Chappels, and Prebendaries, in Ecclesiastical Courts, or before Popes Delegates: Against Alienation of Lands *in Capite*, *in Mortmain*, or otherwise: Against granting Administrations of Intestates Goods, Debtors, or Accomptants to the King, till the Kings Debts satisfied. Against Appeals to Popes, or any other (in cases of Certificates of Bastardy) to the Kings Courts; or trying Bastardy in Spiritual Courts, their Canons crossing the Common Law therein. Against Abbots, or Convents, borrowing, or others, lending them, Moneys upon Bond, without their joynt consent and the Kings, *&c.* Against Archbishops Consecrating Bishops Elect, not approved of by the King after their Election. Against their holding and meeting in Con-

Pryn's Hist. of Popes Usurpations. Vol. 2. p. 393 394, 878, 879.

nvocations or Council, or acting and doing any thing in them, ejudical to the King or Kingdom. Some Prohibitions were a-inſt Bakers imprinting the ſign of the Croſs; *Agnus Dei*, or me of *Jeſus*, upon Sale-bread. Some againſt Biſhops, and other eir Officers, citing Lay Perſons to make Inquiſitions, Preſent-ents, or give teſtimony upon Oath, or excommunicating them r not taking Oaths in any caſe, except in matters of Matrimony d Teſtament, being againſt the Kings Prerogative, Law, or uſtom of the Realm, *&c.* *Againſt* their holding Plea of any Chat-ls or Goods, which concerned not Marriage or Teſtament; or Goods Teſtamentary, for which there is Suit in the Kings Ex-equer. *Againſt* their Citing, Excommunicating, or Interdicting ny of the Kings Barons, Bailiffs, Judges, Officers, Sheriffs, for xecuting the Kings Writs, or Miſdemeanours in the execution of eir Offices; or any of his Tenants *in Capite*, or of his Demeſne ands, Cities, Caſtles, without his ſpecial Licenſe, or Lieutenants, *&c.* *gainſt* Archbiſhops, Biſhops, Convents, or others, preſenting to ivings, or Prebends belonging to the King, during Vacations. *gainſt* diſturbing the Poſſeſſions of the Kings Clerks, preſented y him to Benefices, or Prebends; or Judgments in his Courts by ny proceſs out of Eccleſiaſtical Courts; or from the Pope or his eligates. *Againſt* Suits in Eccleſiaſtical Courts, *Pro laſione fidei*, r breach of Oaths in civil Contracts. *Againſt* ſuing there for Lands eviſed by Cuſtom, or Actions of Debt deviſed by the Teſtator. *gainſt* Ordinaries, malicious Excommunications, or Arreſting, or mpriſoning Perſons unjuſtly Excommunicated by them, or for ringing Prohibitions to prevent them. *Againſt* the bringing of any ulls, Letters from, or ſending any Letters to the Pope or Court of *ome*, prejudicial to the King or Realm. *Againſt* citing, or drawing ny of the Kings Subjects for any Suits to *Rome*, or out of the Realm, y the Pope, his Delegates, or others. *Againſt* collecting any Aid, iſme, or Money for the Pope or others, by the Popes Authority, ithout the Kings ſpecial Licence and Conſent, by Popes Nuncioes, egats, Biſhops, or any others. *Againſt* Popes Proviſions to Be-ifices, Prebendaries, *&c.* belonging to the Kings Preſentation right of his Crown; or by his Prerogative in Vacant Biſhopricks, onaſteries, Wardſhips; or to his free Chappels, or Churches im-ropriated. *Againſt* Clerks and others going to *Rome*, without aking a ſpecial Oath to procure nothing to the Kings or Kingdoms amage. *Againſt* Popes Legates or Agents, coming into the Realm, nleſs ſent for; and taking an Oath to do or bring nothing to the

prejudice of the King, Church, or Kingdom. *Againſt* receiving or aſſiſting a Biſhop or Archbiſhop, made by the Popes Proviſion. *Againſt* Popes and their Delegates, Sequeſtration of the Temporalties, Goods and Profits of Monaſteries. *Againſt* Sheriffs or Gaolers, detaining Clerks in Priſon after demand by their Ordinaries. *Againſt* the *Cruce ſignati*, or others going over Sea out of the Realm, without the Kings ſpecial Licence. *Againſt* offering violence to the Goods or Perſons of Clerks, Churches, or Church-yards. *Againſt* removing Moneys of Delinquents, and Alliens out of Monaſteries. *Againſt* offering Violence to Jews or their Goods. *Againſt* Noblemens ſiding with Biſhops in their Quarrels. *Againſt* Suits between Perſons for Tithes, when the Patron may be prejudiced, or for the Money of Tithes ſold; until it be diſcuſſed by the King and Council, whether the Right belongs to the King, or whether the Cauſe belong to the King or the Eccleſiaſtical Court. *Againſt* Examining things in the Eccleſiaſtical Court, that have been judged in the Kings Courts, in caſes of Preſentations to Churches; and the like. *Againſt* Womens Marriages, who held Caſtles, or Lands *in Capite*, without the Kings Licence.

SECT. 6.

Reſtraint of the Common Law.

6. Another Grievance was, That the King was forbidden in cauſes of Clerks, to uſe the Canon Laws of his Realm, but is commanded to decide them only by the Common Law. *c. Quod Clericus de foro competenti.* Some Cauſes ever taken to be meerly Civil, and to appertain to the Crown, were drawn to the Eccleſiaſtical Authority: As namely, The right to determine Queſtions of Patronage, whereof Pope *Alexander* the Third wrote to the King of *England*, that it was to be tried by Eccleſiaſtical Laws, and before an Eccleſiaſtical Judge; *cap* 3. *Extra de judiciis.* Again in ſome Cauſes Civil, the King was reſtrained from the uſe of the Common Law of his Realm, though the ſame concern Lay Perſons: As when a Woman by Oath maketh releaſe of her Joynture or Dower, the temporal Judge is compellable by the Ordinary his Excommunication to judge of the Oath, according to the Canon Law. *c. Licet & jure jurand.*

Uſurpation againſt Common Law.

The King not permitted to uſe the Common Law in ſome Caſes of Lay Perſons.

And where again an Eccleſiaſtical Judge hath determined any Cauſe according to the Canon Law, if the ſame Matter be brought before a Temporal Judge, he muſt allow the Judgment of the Spiritual Judge, that it be pleaded before him; *cap. ult Extra de exceptionibus.*

But contrariwiſe, If a Clerk be firſt Condemned by a Temporal Judge, the Canon Law hath no regard thereof, nor receiveth any thing for proof that was done before him; *c. At ſi Clerici de judiciis.*

SECT. 7.

SECT. 7

7. That under the general colour of their Authority, to maintain Eccleſiaſtical Liberties, ſome Wrongs offered to Church Men in their Lands and Poſſeſſions, which otherwiſe were to be tried by the Laws of the Land, are by them drawn to their Courts, as where Entries be made by Lay Men upon Church Lands.

Civil Wrongs made Cauſes Eccleſiaſtical.

Simon Mepham Archbiſhop of *Canterbury*, in a Conſtitution by him and the Clergy publiſhed in the year 1332, hath decreed, that every one which invadeth the Poſſeſſions of an Eccleſiaſtical Perſon, ſhall be judged a Violator of Eccleſiaſtical Liberty, and for the ſame excommunicate.

SECT. 8.

8. Generally the Pope claimeth to be judge of his own Liberties, and ſuffereth no Man to examine or determine of them but himſelf. *c. Cum veniſſent extra de judiciis.*

The Pope ſole Judge of his own Priviledges

Whereas it is an old Maxime in all Laws, that *Nemo in propria cauſa poteſt eſſe Judex.* That no Man can be judge in his own Cauſe (eſpecially if Judge and Witneſs too) yea Pope *Gregory* the Firſt, and a whole Council, denounced an *Anathema* againſt the Pope himſelf, or any other, that ſhould preſume to be a Judge in his own Cauſe; *Sive in ruſticano, ſive in urbano prædio*: whence *Bartholomeus Saxienſis*, Dr. *John Thierry*, and other Canoniſts, in their Gloſſes on *Gratian*, do reſolve down-right that, *Papa in ſua cauſa Judex eſſe non debet*; That the Pope ought not to be Judge in his own Cauſe. Yet *Alvarus Pelagius*, affirms the contrary upon this ſtrong Preſumption and Suppoſition; *Quod non debet aliquam cauſa a ſe remittere, imo non poteſt (licet ſuſpectus) quamdiu eſt Papa. Papa enim aut ſanctus eſt, aut ſanctus præſumitur: non enim præſumendum eſt, quod alias facit Papa quam Chriſtus vel Petrus, cujus eſt Vicarius & Succeſſor.* That the Pope ought not to remit any Cauſe from himſelf: yea, he may not (although ſuſpected) as long as he is Pope; for (ſaith he) either the Pope is Holy, or is preſumed to be Holy: for it is not to be preſumed that a Pope can do otherwiſe than Chriſt, whoſe Vicar he is, or *Peter*, whoſe Succeſſor he is. But this is a Maxime frequently reſolved in Law Books, by all the Judges of this Realm, *That none can be Judge in his own Caſe*; who have farther adjudged, *That if an Act of Parliament make any Man Judge in his own Caſe, the very Act it ſelf is void in Law, being againſt the Law of Nature, which ought not to be violated; and all Judgments given thereon are void.*

Gratian Cauſ. 16. qu. 6. Alvar. Pelag. de Planctu Eccleſ. l. 1. Artic. 34, 35.

SECT 9.

9. The Pope challengeth to himſelf Judgment of Oaths, how far they extend, and how they are to be taken, and giveth order for

redreſs of the breach of them. Where therefore every Prince at his Coronation taketh an Oath for the good Government of his Realm, he is compelled to anſwer to his own Subjects at the Court of *Rome* to every Quarrel and Pretence of his Miſgovernment, as Matters falling within the Popes Authority, to examine and reform the breach of Oaths. So did Pope *Honorius* the Third, in a Cauſe of a King of *Hungary*, as appeareth in the Popes Decretals. *c. Intellect. Extra de jure jurando.*

Princes called in queſtion for their Government.

One of their Canoniſts of great Reputation, and a Cardinal, writeth thus: *Si a Proceribus accuſetur Princeps apud Pontificem, & non ſatisfaciat, vel a Papa ſe poni poteſt vel a Proceribus voluntate Papæ* If a Prince be accuſed by his Nobles unto the Pope, and doth not give Satisfaction; either he may be laid aſide by the Pope or by the Nobles at the Popes pleaſure. *c. Alius. 15. q. 6.*

SECT. 10.

Aſſurance betwixt the King and his Subjects diſturbed.

10. He taketh upon him alſo to abſoil Men from keeping their Oaths, whereby do grow Diſturbances, not only of Leagues betwixt one Prince and another, but alſo of that Aſſurance which a Prince hath of his own Subjects, and which ſometimes the Subjects have of the Prince, in Compoſition of Quarrels that do happen between them. *Bellarmine*, in the Second Chapter of the Book againſt *Barckley*, ſaith: *Pontifex poteſt diſpenſare in votis & juramentis, quæ Deus ipſe juſſit reddi & quorum ſolutio eſt de jure divino. The Pope can give Diſpenſations from Vows and Oaths, which God hath commanded to be fulfilled, and the keeping whereof is of Divine right.* And you need not wonder at this, if you conſider what he ſaith elſewhere. *If the Pope did err* (ſaith he) *commanding Vices and prohibiting Vertues, the Church ſhould be obliged to believe, that Vices are good, and Vertues are evil, unleſs ſhe ſhould ſin againſt Conſcience.*

Bellarm. lib. 4. de Pontifice cap. 5.

In the year 882 *Marin*, or *Martin*, attained to the Papal Dignity of whom *Platina* ſaith, that he came to the Popedom by ill ways. There was then one *Formoſus* Biſhop of *Porto*, who by the will of Pope *John* IX, had been obliged by Oath never to receive Epiſcopacy though it were preſented unto him: But that *Marin* delivered him from that Oath by a Diſpenſation, giving him leave to be forſworn with a good Conſcience.

At that time the Counts of *Tuſculum* had ſuch a Power at *Rome* that they made Popes ſuch as they liſted. *Marin* being dead, they promoted *Adrian* the Third to the Popedom, and after him *Stephen* the VII, to whom *Formoſus* ſucceeded, who made no difficulty to receive the Popedom againſt his Oath. This *Formoſus* had but a ſhort

Reign

Reign, he had *Boniface* the VII for his Succeſſor, whom *Stephen* the VIII ſucceeded, who unburied the Body of *Formoſus*; and having arrayed him with his Prieſtly Robes, put him in full Synod upon the Popes Seat. Then having cut off his Fingers wherewith he gave the Bleſſing, he cauſed him to be dragged and caſt into the River *Tiber*, declaring him a Perjured Man, and an Unlawful Pope. That *Stephen* for his Tyranies was taken by the Roman People and ſtrangled in Priſon.

To that *Stephen*, *Romanus* ſucceeded, and to him *John* the X; both which reſtored *Formoſus* again to his good Name: For this *John* aſſembled a Council at *Ravenna*, where all the Acts of *Formoſus* were made valid, and his Perjury approved. But *Sergius* that ſucceeded, abrogated all that, and again unburied the Body of *Formoſus*, with a thouſand Reproaches. It is a particular ſtain to that Age, that in it the Pope began to authorize Perjury, and to diſpenſe from Oaths. See the 6th Queſtion of the 15th Cauſe of the Decree, which is full of ſuch Examples. But leaving this, let us return to the Matter in hand, how *Thomas Becket* was diſcharged of his Oath, it hath been ſhewn before; and the Examples be many, of Subjects that have ſought and obtained like Liberty at the Popes hands, in matter of their Allegiance and Duty promiſed by Oath. King *John* had taken an Oath to obſerve the Laws of King *Henry* the Firſt, of *Edward* the Confeſſor, and the great Charter of Liberties: but he violated this Oath, and was abſolved from it ſoon after by the Pope. And we find that Pope *Urban* the Fourth abſolved King *Henry* the Third from his Oath made to his Subjects, for the obſervation of certain Articles, called, *The Proviſions of* Oxford, where to he had condeſcended, after long trouble, for the peace and quiet of his People. Pope *Clement* the V alſo did the like to King *Edward* the Firſt, touching his Oath which he had made to the Barons of this Realm. *Thomas Waiſingham* f. 61. *Mat. Paris* fol. 1322.

SECT. 11.

11. The Pope taketh upon him Authority to Examine Princes Titles, and the Cauſes of their Wars, and to compound their Controverſies at his pleaſure, compelling them to abide his Order upon pain of Excommunication; Interdiction, *&c.* A matter very dangerous, conſidering the Corruption of Juſtice in that See (whereof there be ſo many Examples in Hiſtories, as would fill a large Treatiſe) and that the Pope can hardly be indifferent, his Affairs and State being ſuch as they are for the moſt part linked with the one part or the other. *The claim of this Authority appeareth in c. Tram. Extra de ordine Cognition.* Princes Wars examined by the Pope; *c. Sicut extra in Jurejurando.*

David

David, Prince of *North Wales*, having Wars with King *Henry* III, committed himſelf, his People, and his Land, into the hands of the Pope, promiſing to hold his Right of him, and to pay Five hundred Marks by the year. Several Charters were made to the King by the Prince and Nobles of *North Wales*, ratified by their Oaths and voluntary Submiſſions to Eccleſiaſtical Cenſures of Excommunication and Interdict, by the Biſhops therein nominated, in caſe of Violation. And the manner of his Oath is ſet down by *Matth. Paris*. *Et ad omnia firmiter tenenda, Ego David juravi ſuper crucem ſanctam, quam coram me feci deportari.* *And firmly to hold all theſe things, I* David *have ſworn upon the Holy Croſs, which I have cauſed to be carried before me.* And the Reverend Father *Howel*, Biſhop of St. *Aſaph*, at my requeſt (ſaith *David*) hath firmly promiſed in his Order that he will do all theſe things aforeſaid, and procure them to be obſerved by all the means that he can. And *Ednevet Wagan* at my Command ſware the ſame thing upon the Croſs aforeſaid.

Matth. Paris p. 605, 606. *Mat. Weſtm.* p. 180, 181, 182.

But the Pope layeth hold of the Cauſe, the Controverſie being committed by him unto two of his Clergy. The King was called before them to anſwer *David*'s complaint; which, the King ſeeing how ſmall likelihood there was of Indifferency, refuſed to do.

Matth. Paris fol. 880, 881.

King *Edward* the Firſt having war with *Scotland*, and being far entred into the Land, was by Commandement of the Pope enjoyned to leave off his wars againſt that Realm, upon pretence that *Scotland* and the people thereof, were by his ſpecial exemption diſcharged from all Authority of other Princes, and appertained to his See. *Thomas Walſingham* addeth, That the King refuſing thus to be ordered, was moved thereto again by the Pope, and commanded to receive Order by way of Juſtice in his Court. The King having received Pope *Boniface*'s Letters, aſſembleth a Parliament at *Lincoln*, by whoſe advice he addreſſeth Letters Reſponſal to the Pope. And the Lords Temporal, in the name of the whole Parliament, anſwered the Pope, *That the King of* England *ought by no means to anſwer in judgement in any Caſe, nor ſhould bring his Rights into doubt, nor ought to ſend any Procters or Meſſengers to the Pope*, &c. *And that they will not ſuffer their Lord the King to do, or by any means to attempt the premiſſes, being ſo unaccuſtomed, and not heard of before. Dated at* Lincoln *in the year* 1301, *in the* 28*th year of the Reign of King* Edward *the Firſt.*

But the ſame King in time of war with the *French King*, was required on the behalf of Pope *Boniface* VIII by his Legat, to put their whole quarrel to be by way of Arbitrament decided by the Pope: And further, he was enjoyned upon pain of Excommunication to take truce with

Walſingham, fol. 41.

with the *French King* for two years; whereto he gave place: ſaith *Thomas Walſingham.*

SECT. 12.

12. Another Grievance was, The departure of Prelats and other of the Clergy forth of the Realm, and leaving the ſervice thereof againſt the Kings will: Of which ſort ſome voluntarily have gone upon colour of devotion, as *Anſelm* Archbiſhop of *Canterbury* in the time of King *William Rufus*, notwithſtanding that he was expreſly forbidden by the King, and told, that if he went, he ſhould no more return into his Realm, departed from hence, pretending that he went, *Ad Viſitandum Limina Apoſtolorum*, To viſit the Threſholds of the Apoſtles. It may be he pretended his Oath, for at that time Biſhops uſed to bind themſelves by Oath, that once every year they ſhould viſit the See of *Rome*, except they be otherwiſe diſpenſed withal; which Oath by the Canon Law is now taken by every Popiſh Biſhop: *Ego N Epiſcopus N. ab hac hora in antea fidelis & obediens ero beato Petro, ſanctæque Apoſtolicæ Romanæ Eccleſiæ, ac Domino noſtro S. P. ſuiſque Succeſſoribus canonice intrantibus. Non ero in conſilio, aut conſenſu, vel facto, ut vitam perdant, aut membrum, ſeu capiantur mala captione, &c.*

Subjects departure out of the Realm againſt the Kings will.

Matth. Paris fol. 29.

Others again have been called forth of the Realm to the Pope's ſervice, as *Peter* Biſhop of *Wincheſter*, in the time of King *Henry* the Third, was called to *Rome* by the Pope, pretending that he would imploy him in compounding certain differences, which were betwixt him and the Inhabitants of *Rome*, and betwixt him and the *Grecians*. But truly (as *Matthew Paris* noteth) the Pope knew him to be a very rich Biſhop, and therefore ſent for him to *Rome*, to aſſiſt him, not only with his Advice in his Military Affairs, but alſo with his Purſe againſt the *Romans* and *Grecians*: And the Pope having made as much of him as he could for thoſe ends, importuned the King for his return into *England*; which the King aſſenting to, wrote thus to the Pope and Biſhop:

Matth. Paris fol. 549.

Domino Papæ Rex, &c. ſignificavit nobis ſanctitas veſtra per venerabilem Patrem A. Covintrenſem & Lichfeldenſem Epiſcopum, & dilectum & fidelem noſtrum P. Saracenum Civem Romanum, quod gratum haberetis & acceptum, ſi venerabilis Pater P. Wintonienſis Epiſcopus, cum gratia noſtra reverti poſſet in Angliam, & ſicut ad ejus ſpectat officium curam ſecurus genere paſtorali, & ſuper hoc ex parte ſinceritatis veſtræ nos rogaverunt. Ad quod Sanctæ Paternitati veſtræ duximus reſpondendum. Quod cum idem Epiſcopus Regnum noſtrum ultimo exivit gratis, & motu ductus proprio, potius quam noſtram, vel alterius compulſionem: Et etiamſi bene recolitis, ad preces veſtras, nobis ſpecialiter inde directas ſedem adiit Apoſtolicam. Unde ſi memoratus Epiſcopus voluntatem habuerit revertendi

Claus. 19 H. 3. Part. 2. *membr.* 2. *intus.*

vertendi, & in Regno noſtro commorandi, bene placet nobis ipſius adventus. Nec erit qui ipſum ſuper hoc aliquatenus impediat, aut cum redierit tranquilitatem ipſius perturbet, licet etiam graviter verſus ipſum moveremur, ad Inſtantiam veſtram conceptum rancorem, ſiquis eſſet, penitus et remitteremus, parati et expoſiti, tanquam filius Sanctæ Romanæ Eccleſiæ devotiſſimus, in hiis & aliis veſtris inhærere Conciliis, & voluntatis veſtræ pro viribus noſtris bene placitum adimplere. Teſte Rege 40 die Martii, Anno &c. XIX. The King wrote after the like manner unto the Biſhop: Others, and thoſe very often, were called to *Rome*, to anſwer Complaints, or Private Mens Suits, by which occaſion the King loſt the uſe of their Service, and a great part of the Wealth and Subſtance of this Realm was ſpent in the Court of *Rome*.

SECT. 13.

Inveſtiture into Biſhopricks, and the Kings aſſent in choice of Biſhops, taken from him.

13. It is well known that the King hath ſpecial Intereſt in the Choice and Inveſtitures of Prelates unto Biſhopricks; both becauſe a great part of the good Government of his People dependeth upon the good Government of that State, and alſo becauſe in thoſe times he furniſhed himſelf with Counſellours taken out of the Number, and employed others in places of weighty and moſt neceſſary Services of the Realm.

Wherefore the Kings of *England* were ever by the Ancient Cuſtoms and Laws of the Land, allowed their Aſſent and Directions in all Elections of Perſons unto thoſe places.

This right hath been ſtrangely oppugned by divers Popes, ſome of them diſturbing Elections made by the Conſent of the King; and others beſtowing Biſhopricks at Pleaſure, without Election at all, and againſt the Kings will.

The firſt that ſtirred that Quarrel in *England*, was *Anſelm* Arch-biſhop of *Canterbury*: For when the Kings of *England*, needy of Moneys, borrowed of the Clergy great Loans, never to pay again, he to exempt himſelf from Subjection to the King, laboured to make his Archbiſhoprick to depend meerly on the Pope, not on the King, although he had acquired it by the Conceſſion and free Gift of the King.

Anſelm then being promoted in the year 1092 to the Archbiſhoprick by King *William Rufus*, the King having franckly beſtowed that rich Biſhoprick upon him, ſoon after would extort from him a great Sum of Money for the exigence of his Affairs, as claiming ſome recompence for his Gift. *Anſelm* refuſed to give it, and ſtealing away privately out of *England*, went to Pope *Urban* the ſecond, who at that time was Violently Proſecuting againſt the Emperour *Henry* IV, the

Quarler

Quarrel of Inveſtiture, begun by his Predeceſſours *Gregory* VII.

This *Urban* liking the Prudence and Dexterity of *Anſelm*, gave ear to his Counſel, and gave him the Archbiſhops Pall, thereby voiding the Inveſtiture which he had received from King *William*, and obliging him there-after to depend upon him. This *Anſelm* did, ſo behaving himſelf ever after, as holding his Arch-biſhoprick by the Popes Ordination, not by the King's Conceſſion. *Du Moulin contr. Card du Perron. l. 1. 7. cap. 11.*

The King being herewith incenſed, Prohibited *Anſelm* to enter into his Kingdom, confiſcated the Lands and Eſtate of the Archbiſhorick, and by an expreſs Edict declared, That the Biſhops held their Places and Eſtates meerly from him, and were not ſubject unto the Pope for the ſame: And that he had the ſame rights in his Kingdom, as the Emperour had in the Empire. At length it was determined, that all the Abbots and Biſhops of *England* ſhould be called together to judge of this Controverſie. They met at *Rockingham-Caſtle*, and the Matter being propoſed by the King, for fear or flattery (ſaith Biſhop *Godwin*) they all aſſented unto him, and forſook their Archbiſhop. All the Biſhops of *England* ſubſcribed, except only *Gondulphus* Biſhop of *Rocheſter*. Bp. *Godwins Catal.* of Bps.

By the Intervention of Friends *Anſelm* made his Peace; but after his return from *Rome*, holding a ſtrict league with the Pope, he began again ſoon after to diſſwade the Clergy from receiving Inveſtitures from the King: wherefore he was conſtrained to fly the ſecond time out of the Kingdom, and his Eſtate was again ſeized upon and confiscated, to which he was reſtored at his return.

He came then to Pope *Urban*, who received him honourably, as a Confeſſor, ſuffering for the Cauſe of Chriſt. The year after *Urban* kept a Council at *Clermont* in *Avergne*, whereby he granted full Pardon of Sins to all that ſhould contribute to the expedition into the *Holy Land*, &c. In the ſame Council he decreed, that thence-forth it ſhould not be lawful for any Prelate, or Eccleſiaſtical Man, to receive the Inveſtiture, or Collation of a Benefice, or Church-dignity, from the hand of any Lay Perſon. But the Princes derided theſe Decrees, and retained the Poſſeſſion of theſe Inveſtitures.

In the year 1099 King *William* and Pope *Urban* died. *Henry* the Firſt ſucceeded *William*, who ſought to be reconciled with *Anſelm*, and called him home again. But *Anſelm* being obliged by an Oath to the Pope, prevailed with the King, that a Council ſhould be gathered at *London*, where he declared the Order he had from the Pope, That no Lay Man ſhould have the Power to confer any Inveſtiture,

and began to degrade the Bishops promoted by the Kings Nomination, refusing to consecrate some Bishops named by the King. King *Henry* being highly displeased, banished him out of *England* presently, and confiscated his Goods.

Whilst these things passed in *England*, Pope *Paschal* prosecuted the Quarrel of his Predecessors against the Emperor *Henry* IV. He caused the Emperors own Son to rebel against his Father, who soon after dying with Grief, was so forsaken, that Pope *Paschal* would not suffer him to be buried, for his Carcass lay five years at *Spire*, rotting without any Christian Burial.

The new Emperor *Henry* V, past presently into *Italy* after the Death of his Father, where the Pope hoping to be recompensed for helping him in his Conspiracy against his Father, found himself deceived: for when he press'd him to renounce the Rights of Investitures, which his Ancestors (as *Sigebert* saith) had enjoyed above three hundred years, the Emperor grew very Angry, and laying hold of this Pope *Paschal*, committed him to close Prison. Neither would he release him, till he had renounced his claim to the Investitures and Collations of Benefices, saying to him in in scorn that which *Jacob* said to the Angel wrestling with him, *I will not let thee go before thou hast given me thy Blessing.*

Then *Paschal*, to redeem himself out of Captivity, granted to *Henry*, that both he and the Popes after him, should leave unto the Emperors the peaceable enjoying of the Investitures of Ecclesiastical Dignities, by the Ring and the Staff. Also that none should be Consecrated Bishop without an Investiture from the Emperor. The Pope and the Emperor reciprocally bound themselves by Oath upon the Host of the Mass, which they received together. But because that Oath was extorted, the Pope thought not himself obliged to keep it. So he brake that Agreement, and excommunicated *Henry*, and all Princes usurping Investitures.

This accident confirmed *Henry* the First, King of *England*, in a resolution to retain the Investitures of his Kingdom. And that Order was held in *England* for a long time. Only the Popes, that they might not be injurious to their pretences by a long Prescription, would send the Pall to some Prelats invested by the King, confirming that which they could not alter, and giving an Approbation which was not sought from them.

And further, as to Elections of Bishops, the great Troubles that were in the Reign of King *John*, grew upon no other occasion, than because the King refused *Stephen Langton*, whom the Pope would

would have thruſt into the See of *Canterbury*, notwithſtanding that there had paſſed a former Election of another with the Kings aſſent; and that the King juſtly alledged, he might not truſt *Langton* in his Realm, becauſe he had a long time been on the part of his Enemies. The King menaced the Pope and his Creatures, ſeized the Temporalities of the Archbiſhop, baniſhed him, his Parents and Kindred, with the Monks of *Canterbury* as Traitors. *Mat. Paris* fol. 299.

By his and the Prelats Treachery confederating with him, the Kingdom was interdicted, the King excommunicated, his Subjects abſolved from their Allegiance; he and his deprived of the Crown, given to the French King; enforced to reſign his Kingdom to the Pope, become his ſworn Tributary, Vaſſal and Homager, to renounce the ancient Rights of his Crown, to receive *Stephen* and his Confederats to favour, to reſtore them to their Biſhopricks, with the Profits and Damages ſuſtained by their Exile, before the King could be abſolved: The King is forced to humble himſelf before him, and ſwear to him, before he would abſolve him. He inſtigates the Nobles againſt the King, threatens to excommunicate him, and revive the interdicts if he proceeded by Arms againſt them. He was very ſevere againſt the Clergy-men, who adhered faithfully to King *John*. He excites the Barons to take up Arms againſt the King for their Liberties; extorts the Great Charter from him, with new additional Clauſes; wreſteth a new Charter for the Election of Biſhops and Abbots from him, and of the Patronage and Royalties of the Biſhoprick of *Rocheſter*, as abſolutely as the King enjoyed them.

To requite which, he ſurrendered the Caſtle and Ammunition of *Rocheſter* to the Barons. He refuſeth to execute the Popes Excommunication, though oft preſſed to it by the Legat and others. He is accuſed and ſuſpended in the Council at *Rome*, for confederating with the Barons againſt the King. A juſt retaliation! At length his Suſpenſion is token off, but he not to return into *England* till Peace made betwixt the King and his Barons.

Ralph Nevil, Biſhop of *Chicheſter*, and Chancellour of *England*, being choſen Archbiſhop by the Monks of *Canterbury*, was approved by the King, and put in Poſſeſſion of the Temporalties by and by. The Monks of *Canterbury* thereupon preſſing the Pope to confirm his Election, *Anno* 1233, the Pope made diligent enquiry of *Simon Langton* (Brother to *Stephen* elected, bnt rejected by King *John*, and the Pope too at his requeſt, to be Archbiſhop of *York*) concerning *Ralphs* Perſon and Diſpoſition, *Simon* told the Pope, that

he was an hot Fellow, Stout, Subtle, an old Courtier, and very gracious with the King, and therefore that he would make variance betwixt him and the King, and cause him to deny the payment of that Tribute granted unto him by King *John*: This was enough; so without any more ado he dissolved the Election, never alledging any matter of Exception against him, but willed the Monks to chose another.

Then the Monks chose one *John* their Sub-prior. He being called to *Rome*, and first charged with insufficiency, but sufficiently cleared thereof by the testimony of certain Cardinals, to whose Examination he was referred; he was yet in the end compelled to give over his right to that *See*. And after some other, several Elections of Archbishops to that *See*, made with the Kings Allowance, they were all one after another declared void by the Pope.

Mat. Paris fol. 502, & 515.

In the Reign of King *Edward* the Second, *Anno* 1313, after the Death of *Robert Winchelsey*, Archbishop of *Canterbury*, the Monks of *Canterbury* elected for his Successour, one *Thomas Cobham*, Dean of *Salisbury* and Prebend of *York*, a Man of such Vertue and Learning, that he was commonly called by the Name of *the Good Clerk*; but the Pope bestowed that place upon *Walter Reynolds*.

SECT. 14.

Patronages disturbed, and Benefices bestowed upon Aliens.

14. In other Promotions and Ecclesiastical Livings, the Popes usurped a larger liberty of bestowing them at their will upon such as they made choice of, or upon themselves, without regard of any Mans right to present, or whether the Persons upon whom those Livings were bestowed, were the Natural Subjects of the Realm or not.

Whereupon ensued many Mischiefs, one was, that a great part of the Wealth of this Realm, was bestowed and spent in Forreign Parts. Another, that many Aliens flocking into the Realm, to occupy these Promotions; their presence here was dangerous to the State, and the King unfurnished of fit Persons being his Liege-Subjects, to imploy in necessary and secret Services of this Realm. Thirdly, That the Natural Subject was discouraged, and sought not to make himself fit for any place of Service, by diligence in Study, seeing that the Rewards of Learning were carried away by Strangers. Of these are many Examples in our Histories, and the wrong complained of from time to time.

In the Reign of King *Henry* the Third, Pope *Gregory* (before his Death) to carry on his Wars and Designs against the Emperor *Frederick*, and throw him out of the Empire, *Anno* 1240, intended by way of Provision, to confer all the Benefices in *England*, (especially

(especially of the Clergy and Religious Persons) on the Sons of *Romans*, and other Forreigners; sending his Bulls to three Bishops, viz. to *Edmond* Archbishop of *York*, the Bishops of *Lincoln* and *Sarum*, to confer no less than 300 of the next Benefices, that fell void within their Dioceſſes on theſe Aliens. A dangerous Uſurpation on the Kings Prerogative, the Churches Priviledges, and the Patrons Rights! The next year the King iſſued Writs to the Archbiſhops and Biſhops of ſundry Dioceſſes (by way of Oppoſition) to inquire how many Aliens were promoted to Benefices or Prebendaries, with their Values and Names. In that injurious courſe of conferring Benefices upon *Italians*, the Archbiſhop of *York* withſtood the Pope, and was conſtrained to leave the Realm.

Pope *Gregory* fore-mentioned, in the ſame Kings Reign, wrote to the Abbot of *Bury*, to beſtow upon him a Benefice of the yearly value of One hundred Marks; but ſo, as they [the Abbot and his Convent] ſhould farm the Benefice at his hands, and pay him yearly 200 marks rent. *Mat. Paris* fol. 735.

The ſame Author writeth of another Benefice, and of the Treaſureſhip of *Sarum*, beſtowed upon *Innocent* his little Nephew, by one *Martin*, at that time the Popes Legat in this Realm. This Man was ſent into *England* by Pope *Innocent* IV. to extort Moneys; he was armed with Bulls to excommunicate, to ſuſpend, and by manifold ways to puniſh all, as well Biſhops, Abbots, as others, who oppoſed his Rapines and Extortions, Proviſions of Benefices, Rents to the uſe of the Popes Clerks and Kinſmen. He extorted Gifts, Garments, Palfreys from them, ſuſpending thoſe who refuſed, though upon reaſonable Excuſes, till ſatisfaction. He twice ſummoned the Engliſh Biſhops and Clergy for a Contribution to the Pope, and their Mother the Church of *Rome*, againſt the Emperor. The King ſent a Prohibition to them not to give him any aid, under pain of forfeiting their Baronies. He ſuſpended all to preſent to Benefices, of ten Marks value or upward, till his and the Popes Covetouſneſs was ſatisfied. The King ſent memorable Prohibitions to him againſt his intollerable Proviſions and Rapines, who perſevereth therein with a ſtony heart, notwithſtanding. The Cinque-ports were guarded to interrupt the Popes Bulls and Proviſions ſent unto him: His Meſſenger was impriſoned in *Dover-caſtle*, but releaſed upon his Complaint to the King. The King by advice of his Nobles, ſent Prohibitions to all the Biſhops in *England*, and Chief Juſtice in *Ireland*, not to ſuffer him or any other Nuncio, to collect any Moneys for the Pope, or confer any Benefices without his Pri- *Ibid* fol. 815.

vity

vity or Consent. The Nobles sent a Message to him in behalf of the whole Kingdom, to depart the Realm within three days, else they would hew him and all his in pieces. And when he demanded the Kings Protection against the fury of the Nobles, the King wished the Devil to take him, whereupon he departed the Realm in a terrible Pannick fear.

Mat. Paris p. 640.

The Abbot of *Abingdon* refusing to bestow upon a Roman the Benefice of St. *Helens* in *Abin don*, which was esteemed at the value of an hundred Marks, and belonged to the Monastery of *Abingdon*, because the King had demanded it for his Brother, was cited to appear personally at *Rome*, and could not obtain his Release, until he had assured to the Pope a yearly Annuity of Fifty Marks to be paid out of his Monastery.

Idem fol. 100 2.

Pope *John* XXII bestowed the Bishoprick of *Wincheſter* upon his Chaplain *Rigandus*, in the time of King *Edward* the Second, having before made reservation thereof, and giving special charge, that no Election should take place, though approved by the King.

Tho. Walsingham fol. 90.

We find in the Canon Law, that in the time of King *Richard* the First (though from the Records of the *Tower*, we understand in the Reign of King *John*) that Pope *Innocent* contriving how to usher in his Provisions into *England*, by degrees without any observation, imployed the Archbishop of *Ragusa* (whom he discharged from that Church, because he could not live quietly there) to move King *John* to bestow a Bishoprick and other Benefices, upon him in *England*, to relieve his Necessities, and support his Dignity; whereupon the King out of his Royal Bounty, bestowed the Bishoprick of *Carlile*, the Archbishop of *York*, and the Church of *Melbourn*, upon him.

Of these Wrongs the People of this Land made often Complaints, but could find no Redress. The Usurpations of the Popes Legats and Agents, by Exactions, Provisions, Disposing Churches to Aliens, and other Innovations, became so intollerably Oppressive to all sorts of People in *England*, that by several Letters of Complanit dispersed against them, in the year 1231, 1232, there was stirred up a general Commotion and Opposition against them throughout *England*: for finding that most of the Ecclesiastical Livings of this Realm to be in the hands of Strangers, they were so offended, that they set fire on their Barns in all parts of the Realm. The Pope on the other side stormeth with the King, and commandeth the Bishops of the Realm to excommunicate the Authors of that injury, and withal to send them personally to *Rome*, to receive their

their Absolution at his hand. *Speed* in his *History* relateth, that it was alledged by these Reformers, that they had under-hand the Kings Letters Patents, the Lord Chief Justices Assent, the Countenance of the Bishop of *London*, and the Sheriffs aid in divers Shires, whereby the Armed Troops took heart every where violently to seize on the *Romans* Corn and their other Wealth; which Booties they imployed *to good purposes, and for relief of the poor*; the *Romans* the mean while hiding their Heads for fear of losing them. *Speeds Chronic.* in the Reign of King *Henry* III. *Roger de Wend. M. S.*

In the time of King *Edward* the Third, Pope *Clement* granted to two Cardinals at one time, Provisions of so many Spiritual Livings, as would amount to the yearly value of Two thousand Marks. Hereof the King complained to the Pope, alledging that the Rights of Patronages were disturbed, the Treasure of his Realm spent upon Aliens in Foreign parts; and that the Students his Subjects were thereby discouraged. Which Reasons are delivered in a Statute by him made, for restraint of Provisions from *Rome*. *Tho. Walsingham* Hist. in *Edw.* III.

SECT. 15.

15. The Pope claimeth to have one proper Authority, which he calleth, *Plenitudo Potestatis in Beneficialibus*; and is an infinite and unbridled Licence to do in Matters of Church-livings what himself listeth: By force whereof he taketh from any Prelate, or Beneficedman, his Bishoprick or Benefice, at his pleasure, without yielding any Cause or Reason thereof. *Plenitudo Potestatis in Beneficialibus.*

He hath used to bestow Bishopricks of this Realm at his pleasure; and when any of the Bishops died, then the Pope claimed a Privilege to have the Gift of them, as *Decedentes in Curia Romana*, and so kept them many years as *Decedentes in Curia*; for they never came into *England* to die here, as *Salisbury* and *Worcester*, which were claimed by that Title in Queen *Maries* time.

Again, the Pope might dissolve Ecclesiastical Dignities and Benefices at will, and turn them into what shape it best liked him.

Moreover, he might unite, appropriate, divide such Livings, and do many strange things else about them, no cause appearing to any man, but his own will.

The Popes Legates also procured of the Kings of *England*, Stipends and Provisions of good value, out of Ecclesiastical Benefices, and other Dignities. *Rustand* the Popes Legate, being in Favour with King *Henry* the Third, procured from him (besides the Livings he obtained by the Popes Provisions) a Grant of Provisions out of the Ecclesiastical Benefices, Dignities, and Prebendaries, which should first happen in his own Gift, amounting to 300 Marks by the year,

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to be preferred before all others formerly granted by him, one only excepted.

SECT. 16.

Souldiers mustered and sent out of the Realm.

16. Soulders have been Mustered and sent to Foreign Wars out of the Realm upon the Popes Commandment; which Case hapned in the time of King *Richard* the Second, the Pope gathering within this Realm a Band of Souldiers for the Wars of the *Holy Land*, and appointing them for their Captain the Bishop of *Norwich*: The Realm generally misliked that their Souldiers should be committed to the Guidance of an Ecclesiastical Person, unacquainted with the Wars and therefore resisted for awhile; but at length suddenly yielded upon a superstitious Conceit taken in their Heads.

The *Croisado's* for the Relief of the *Holy Land*, was a Papal Cheat, for Popes and others to pick simple Christians Purses for Popes Designs, to maintain Wars against Christian Emperors and Princes; the *Greek Church* and the *Albigenses* detesting and opposing Papal Usurpations and Corruptions, to inthral, depose, and murder them. So great was Pope *Innocent's* Animosity against the Emperor *Frederick*, that when Forces of the *Croisado* came out of *France* or *England*, or other parts, to sail into *Syria*, to defend *Jerusalem*, and the *Holy Sepulchre* against the *Saracens*, he stopt them, and gave them the same Graces and Indulgences, as if they had performed the Journey into the *Holy Land*, upon Condition that they should turn their Armes against *Frederick*, whose Power lay upon him, because he stiffly maintained the Rights of the Empire.

The Pope proceeded so far, as to give the Empire to *Robert* Brother of *Lewis* IX. King of *France*, upon condition that he should conquer it. But *Robert* sent his Present back to the Pope, both because he sent him no Money to furnish him for that Conquest; and because he found it very strange, that the Pope would give that which was none of his. Also because he shewed himself an Enemy to a great and vertuous *Prince*, who had done and suffered so much, bravely fighting for the Cause of the Christians against the Infidels. Then he added, *That the Popes are lavish of the Blood of others, and that their end is to tread all the Princes of the world under their feet, and to put on the Horns of Pride.*

Mean-while persecution grew sore against those whom they called *Vaudeois* and *Albigenses*; against whom the *Pope* caused the *Croisado* to be preached, and an infinite number of them to be massacred.

Pope Gregory IX. (who compiled the *Decretals*) needing Money for

or his War againſt the Emperor *Frederick*, ſent a Legat into *England*, named *Stephen*, who exacted a tenth part of all their moveble Goods (that is) of all their Flocks, Rents, Fruits, Wares, Offerings, and Gifts to the Church. And the ſaid Legat had power to Excomunicate all that ſhould refuſe to pay, and to put the Churches in Interdict. He injoyned the Prelates upon pain of Excommunication, to make that Collection ſpeedily, and without delay. All that ſhould croſs that Holy Work, he Excommunicated *ipſo facto*. He would be paid in new Coin, and of good Weight. He took the Tithe, even of the Corn in the firſt Blade, that is, of the Crop of the year after.

In theſe Exactions he was ſo urgent and griping, that the Pariſhes were forced to engage the Chalices and Church-Plate to ſatisfie his Covetouſneſs. And he had certain Uſurers with him, who lent Money upon double uſe, to thoſe who had no ready Money. This cauſed a great Clamour and Lamentation over all the Countrey, but without effect. The Money was imployed by the Pope in invading many Towns belonging to the Emperor in *Italy*. And the Emperor could not defend them, becauſe he was ingaged againſt the *Saracens* in the *Levant*, where he took *Jeruſalem*, and put the Affairs of the Chriſtians in a flouriſhing Eſtate. And it is probable, that he had utterly deſtroyed the *Saracens*, if the Injuries which he received from the Pope had not re-called him. For the Emperor making a League for ten years with the *Saracens*, and returning unexpectedly from the *Holy Land*, interrupted the Popes proceedings, and ſoon recovered all his Caſtles; ſo that the Pope was forced by meditation of Friends, to ſtoop to the Emperor, and make his peace with him beyond all Expectation. *Mat. Paris* p. 351, 352. *Matth Weſtm.* p. 123, 129.

Scarce was the Collection ended made by *Stephen* the Legate, when Pope *Gregory* inventing Extortions grounded upon fair Reaſons, ſent *Nuncios* with power of Legats, who by Sermons, Exhortations, and Excommunications, brought an infinite number of Engliſh Men to Mendicity, and turned them out of their Houſes. This was done under a pretence of contributing to the expence of the Holy War, of which himſelf hindered the ſucceſs; and yet he promiſed to them that ſhould contribute Money for it, the remiſſion of all their ſins, and to them that ſhould go in Perſon, an Augmentation of Glory; yet the Pope never gave any part of the Money raiſed for that expedition, to any Prince that paid Armies, and fought for that Quarrel. All was thrown into the Popes Coffers, as into a Gulph, and by him imployed to make War againſt *Frederick*,

for he presently broke the Covenant sworn unto him.

The Treasure of the Realm spent in the Popes Wars.

Moreover, Wars made by the Pope, were oftentimes supported at the Charges of Forreign Countreys, the Pope bearing them in hand, that they were *the Wars of the Church*, and therefore did in common concern every of their States and Interests; under which colour large Contributions have been drawn out of this Realm.

Mat. Paris fol. 703, 704.

In the year 1240, the Pope forced all Aliens within this Realm, to contribute to the Wars against *Frederick*, the fifth part of the Revenues of their Spiritual Livings; and in the same year took another fifth part of all Bishopricks to the same use.

The Pope ceased not thus, but immediately commanded new Collections to be made, still pretending his Wars with the Emperor; against which Commandment the Clergy made divers Exceptions, which are at large set down by *Matth. Paris*, fol. 714. and 715.

Idem 1219.

In the year 1255, *Alexander* IV. sent a Legate into the Realm, who exacted the tenth part of all the Goods and Chatels in *England*, *Scotland*, and *Ireland*, pretending the Church-wars against *Manfred*, who had invaded the Kingdom of *Naples*, which the Pope claimed to appertain to his *See*.

SECT. 17.

Sometimes again great sums were levyed, no other cause being known but the Popes pleasure.

Levies of Moneys to the Popes use without cause.

In the year 1245, the Pope demanded of all Clerks that were Non-resident, half their Revenues, and of those that were resident a third part.

Matthew Paris writeth, that in the year 1257, the Popes Proctors sent with his Bulls into this Realm, extorted of Clerks and Religious Persons, great sums of Money; and if any found themselves Grieved, and offered to appeal, they were forthwith by one Commission or other Excommunicated.

Mat. Paris fol. 1002.

In the year 1248, he exacted of the Monastery of St. *Edmondsbury* (the place of the Abbot being void) 1000 Marks, and would not confirm the Election of the new Abbot until the Monks had promised to pay 800 Marks.

In the Reign of King *Edward* the Second, Pope *John* XXII, reserved to his *See* the First-fruits of all vacant Benefices for the space of three years.

At that time also certain Usurers set up in *England*, called *Caursins*, who by Usuries and strange Arts devised in *Italy*, did eat up the poor People and the Clergy. The King himself was much indebted to them. The Bishop of *London* would have repressed them, but because

ecauſe they were maintained by the Pope, he was not able to ef-ect it.

The *Franciſcans* and *Dominicans* preached up the Popes Power, nd drew all the Confeſſions to themſelves, and every day obtained riviledges to the prejudice of the Parochial Prieſts, who became lmoſt uſeleſs. The State of *England* was deplorable, for hungry *talians* of the baſer ſort, with Bulls and Warrants from the Pope, ame daily to fleece the People, and to raiſe ſuch ſums of Money, s they would demand upon the Clergy. If any denied what they emanded, he was preſently Excommunicated. And they that held he great Benefices were Strangers, who were but the Popes Farmers.

This cauſed *Matthew Paris*, that lived then, and beheld theſe things, to lament, *That the Daughter of* Sion *was become like a ſhame-leſs Harlot that could not bluſh, by the juſt Judgment* (ſaith he) *of him that made an Hypocrite to reign, and a Tyrant to domineer.*

Sometimes the Pope made his advantage by Grants made to o-ther Biſhops to ſpoil the Realm; as to the Biſhop of *Rocheſter*, whoſe Name was *Laurentius de Sancto Martino*, a Chaplain and Counſel-lour of King *Henry* the Third. This Man got a Diſpenſation from the Pope to hold all his former Livings *in Commendam* with this Biſhoprick. And yet alledging that his Biſhoprick was the pooreſt of *England*, and therefore his Living yet unable to maintain the Port of a Biſhop, he never ceaſed till he had extorted from the Clergy of his Dioceſs a Grant of a fifth part of all their Spiritual Livings for five years, and appropriated unto his *See* for ever the Parſonage of *Friends-bury*.

The Pope at the ſame time granted a Bull to the Archbiſhop of *Canterbury* to collect the Fruits of all vacant Benefices within his Province for one year. *Mat. Paris* fol. 1000.

SECT. 18.

The way that yielded to the Pope his greateſt Harveſt, was by Legats ſent into this Realm; for they coming hither under a plauſible title of care to reform things that were amiſs within the Realm; and the preſence of a Legate having an Authority little inferior to the Pope himſelf, being terrible to the Subject, they had opportunity not only to gather to their Maſters whatſoever they liked to demand, but alſo prevailed intollerably for themſelves; and ſome of them with ſuch inſolence, as it is ſtrange that any Prince could ever ſuffer them in his Realm. The Popes Legats.

I ſhall here ſpeak ſomething of the Original of theſe Legats, and ſhew how by degrees the *Legati à latere* were brought in Autho-

rity amongst the Nations, and how they did inlarge the Popes *Phylacteries.*

At first because *Rome* was the chief City of the Empire, from thence (as from a Seminary) were preachers sent to sundry Nations, to preach and plant the Gospel, or to confute Heresies, afterwards to provide vacant Benefices, and to supply the absence of the Roman Bishop in *Synods*; in all which they did no other thing but as other Bishops might have done, and also did.

But when the Bishops of *Rome* were made Patriarchs, and became ambitious, these Legats did the same Offices at some times: but therewith they began craftily to injoyn unto Archbishops and Metropolitans, to execute some things which they were commanded by the Word of God to do; and they would give them power within their own Dioceses, as if Bishops had been Vicars of the Roman Patriarchs, or his Legat.

Petrie's Church History p. 272.

These Primats did gladly imbrace the show of Honour, that for reverence of the Roman Church they might be the more respected in their own Jurisdiction, and sometimes the more easily advance themselves above their Competitors.

Sometimes the Popes sent Legats into other Dioceses, with such modesty that they had Authority to attempt nothing without concurrence of the Bishops, or Synod of that Countrey.

Albeit these Legations were partly good and just, and at the worst were tollerable, yet they were not *potestativæ*, or imperious, but *charitativæ*, or exhortatory: nevertheless the Popes brought the Churches and Bishops into subjection by such means; for afterwards they were sent only for ambitious Usurpation, Covetousness, and Worldly Affairs.

The ordinary Legats at *Pisa*, *Romandiola*, *Bononia*, *Ferrara*, *Avignon* (and if there be any other such) are Provincial Deputies, *Prætores*, or Vice-Roys.

The Nuncio's at the Court of the Emperor, or of any King, Prince, or State, are Ambassadors, or Spies for Secular Affairs: The Affairs of any Church that are gainful, if they be of less account, are reserved unto the Judgment of the *Nuncio*; yet not definitively, but to be determined at *Rome*. And things of greater importance are wholly reserved for the Court of *Rome*.

The Ancient Bishops of *Rome* did severely injoyn their Legats to acknowledge duly the inferior Bishops within their own Jurisdiction; but now they pass by the Metropolitans, and draw all Actions unto themselves and the Court of *Rome*. Likewise their Ambition

and

Avarice have ſo provoked ſome Nations, that they will ſcarce
it any Legat, as *Sicily* and *France* have intrenched their Office.
ſe particulrs are more largely written by *Antonius de Dominis*,
nbiſhop of *Spalato de Republ. Eccleſiaſt. lib.* 4. cap. 12.
Of theſe ſome had the Titles and Enſigns, others the power of
ats (or more) without the Title or Badges. Some were ſent
eſſively into *England*, *Wales*, *Ireland*, *France*, and elſewhere,
ubliſh Popes Excommunications, Interdicts, Bulls, Croiſados,
ns, Suſpenſions, Citations, Mandats, *&c.* to and againſt Em-
ors, Kings, Princes, Biſhops, Abbots, Priors, and all ſorts of
ſons; to exact, collect Moneys, Pillage Sacred Churches,
naſteries, Manſions founded by our devout ſimple Anceſtors, for
ief of the poor, of Strangers, and Suſtentation of Religious
rſons, *&c.*
t was an Ancient Priviledge of the Kings of *England* and *Scot-*
d, that no Legat *à latere*, ſhould come into any of their Domi-
ns by the Popes Miſſion, unleſs at the Kings ſpecial inſtant re-
eſt to the Pope, who eluded this priviledge by ſending Nuncio's,
aplains, Clerks, Friers, *Minors*, or *Prædicants*, ſometimes into
eir Realm, with the full power, not Titles or Enſigns of Legats.
Some Iriſh Biſhops without the Kings Privity, endeavouring to
ocure a Legat to be ſent into *Ireland*, the King upon notice
ereof by his Chief Juſtice and others, writes to the Pope to ſend
Legat thither againſt his will.
Pope *Gregory* the Ninth, his Legat was impriſoned for ſtirring
Sedition in *Lombardy* againſt the Emperor. Three Legats, with
ndry Archbiſhops and Biſhops, were taken by the Emperors Gal-
ys, going to a Council upon the Summons of Pope *Gregory* IX.
Gualo, a Presbiter Cardinal of St. *Martin*, crowned King *Henry*
, cauſing him to do homage to the Church of *Rome*, and Pope
nocent for *England* and *Ireland*, and to ſwear faithfully to pay
e Annual Rent for them, which his Father King *John* had granted
long as he injoyed thoſe Realms. He deprived *Simon Langton*,
rchdeacon of *Canterbury* and *Gervaſe de Habruge* (who obſtinately
dhered to *Lewis* and the Barons, and celebrated Divine Service to
hem and the *Londoners* after their Excommunication) of their Be-
efices, for which they were compelled to go to *Rome*. He ſent
nquiſitors through all Provinces of *England*, ſuſpending and de-
riving Clerks of their Benefices for very ſmall faults, and adhering
o the Barons; beſtowing their Livings on his own Creatures Clerks.
nriched with others Spoils. He received a thouſand Marks from

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Hugh Bishop of *Lincoln*, and vast sums from other Religious Persons, Canons, exhausting their Purses, and reaping where he did not sow. He bare sway in the Councils of King *Henry* III, while sealed some Writs and Patents with his Seal before his own Seal was made, and usurped on his Crown, during his Minority without Opposition. *Bernardus de Nympha* came Armed into *England* with the Bulls of Pope *Innocent* IV, to collect Money from the *Cruce signati*, for *Richard* Earl of *Cornwall*, the Kings Brother. Divers Blank Bulls of the Popes were found in his Chest after his Death, containing manifold Machinations of the Romans to debase and oppress *England*.

John de Diva, an English Frier, was armed with many Papal Bulls to extort Moneys from the English for Pope *Innocent* IV, under dreadful Penalties and Fulminations. He exacts six thousand Marks out of *Lincoln* Diocess. His Exaction at St. *Albans* was appealed against, who demanded 300 Marks, notwithstanding the Appeal, to be paid within Eight days, under pain of Excommunication and Interdict, which the Pope upon an Appeal caused them to pay. He had a Bull from the Pope to inquire of all Lands alienated from Churches and Monasteries, Vexations by Proviso's, and Simoniacal Contracts for Livings, to seize them to the Popes use and Excommunicate, Interdict all Opposers without Appeal.

John Ruffin was sent with the power (though not the title) of a Legat into *Ireland*, to collect Moneys there. He extorted six thousand Marks from the Clergy there, notwithstanding the Kings Prohibition.

Otto I. Pope *Honorius* his Nuncio, was sent to King *Henry* III. He demandeth two Marks by way of Procuration from all Conventual Churches of *England*; he demandeth two Dignities, and two Monks portions in all Cathedrals and Monasteries.

Pryn's Hist. of Popes Usurpations. *Otho*, Cardinal Deacon of St. *Nicholas in Carcere Tulliano*, Legat to Pope *Gregory* IX, was received into *England* with Processions and ringing of Bells. He disposed of vacant Benefices to all that came with him, whether worthy or unworthy, the King almost did nothing without him, and adored his foot-steps. He was present in the Parliament at *York*, to mediate a peace between the Kings of *England* and *Scotland*. The Charter of Peace was sworn to, and ratified in his Presence. He desireth leave of the King of *Scots* to enter as a Legat into *Scotland*, to regulate Ecclesiastical Affairs there as in *England*, who answered, *That neither in his Fathers time nor of any his Ancestors, any Legat had Entrance into* Scotland, *nei-*

the-

ber would he permit it, whilſt he was in his righe ſenſes. But if he ntered, at his own peril he muſt expect violence from his rude Subjects, rom which he was unable to protect him: yet he knighted and be-owed ſome Lands on his Nephew.

A great Fray was occaſioned at *Oxford* by his Porters Inſolence, nd he was aſſaulted by the Scholars at *Oſney-Abbey*, ſtiled an U-urer, a Simoniack, a Raviſher of Mens Rents, a Thirſter after Money, a Perverter of the King, and Subverter of the Kingdom, forced to fly ſecretly from thence. Both the King and he pro-eeded ſeverely againſt the Scholars for it, by Eccleſiaſtical Cen-ures, Excommunications, Penances, Impriſonments, almoſt to he ruin of the Univerſity.

He was denied Entrance into *Scotland* by the King thereof the econd time. He gave a Writing under his Hand and Seal to the King of *Scots*, that his Admiſſion into *Scotland* ſhould not be drawn nto Conſequence, who took it away with him upon his privat re-ceſs. He there collected the fifteenth part of the Goods of all Pre-lats, and Beneficed Clerks, and ſent it to the Pope. The Engliſh No-bles ſend Letters of Complaint to the Pope againſt his confering of Benefices by Proviſions upon Aliens, and other Grievances. *Fre-derick* the Emperor was incenſed againſt King *Henry* III, for this Legats collecting of Moneys in *England*, imployed in Wars a-gainſt him, demanding his Expulſion out of *England*, as the Em-perors and the Kingdoms Enemy. He demandeth Procurations for himſelf from the Clergy, not exceeding the ſum of four Marks for any Procuration. The King ſent a Prohibition to him to exact the fifth, or any other part of the Benefices of his Clerks attending on his Service, which he could by no means endure. He joyneth with *Peter Rubee* in exacting a great Tax from the Prelats and Ab-bots to ſhed Chriſtian Blood, and to conquer the Emperor. The Biſhops and Canons except againſt his intollerable Demands. He laboured to raiſe a Schiſm and Diviſion among the Clergy, to ob-tain his Exactions. He demanded Procurations from the *Ciſtercians*, who manfully denied them, as contrary to their Priviledges, which the Pope diſpenſed with by his *Non obſtante*.

The King upon his Departure out of *England*, by the Popes Summons, feaſted, placed him in his own Royal Throne, and at Dinner (to the admiration of many) Knighted his Nephew, and beſtowed an Annuity of Thirty pounds *per Annum* upon him, which he preſently ſold. He conferred above Three hundred rich Prebendaries and Benefices, at his own and the Popes pleaſure, on

their

their Creatures: He ſpoiled the Church of *Sarum*, and ma other Cathedrals, leaving them deſtitute of Conſolation. He accompanied by the King and Nobles in great ſtate to the Sea-ſi

Mat. Paris fol. 735. at his departure out of *England* He left not ſo much Money *England* behind him when he left it, as he drained out of it, Churc plate and Ornaments excepted. He ſtayed three years in *Englan* great were the rewards demanded by, and given unto Legats. Po

Rewards given to Legats. *Innocentius* ſent one *Martin* into *England* for his Legat, who w not aſhamed to demand Plate, Geldings, and other Reward without meaſure. And if thoſe things wherewith he was preſented

Mat. Paris f. 870. liked him not, he would proudly ſend them back to their Owner and threaten them with Excommunications, except they brough him better. And other Examples in the ſame Authors there wer divers. Rich Preſents were ſent unto the Legats. The Biſhop of *Win ton* preſented *Otho* with Fifty fat Oxen, One hundred Quarters o the beſt Wheat, and Eight Tun of the ſtrongeſt Wine for his Table Others preſented him with handſome Palfreys, rich Veſſels, Furrs Veſtments; and divers other Proviſions of Meat and Drink.

Again, the charge of the ordinary Entertainments of a Legat wa a great matter, for all his Charges were born by the Realm. Wha thoſe Expences might grow unto, may be conjectured by one de mand of Procurations made by the ſaid *Otho* (which yet was bu a piece of his Allowance) for in the year 1240, giving notice to the Clergy that he muſt tarry in the Realm ſome time longer than at firſt was aſſigned unto him (in which ſpace he was not to ſpend

Mat. Paris fol. 702. of his own) commanded a ſecond Levy of Procurations to be made, wherein he made ſhew of ſome favour more than was ordinary; giving to underſtand, that he meant not to receive of any Church above four Marks: and where the Churches were poor, he would be content that two Churches ſhould joyn in contributing thoſe four Marks.

The uſe of Legats. What benefit the Realm received for all theſe charges upon the Legats, the Monuments of two of the chief of theſe Legats, *Otho* and *Ottobon* (I mean their Legantine Conſtitutions, which were the fruits of their Reformation) do well ſhew. They contain Matter of little or no moment in the World, and ſuch as every Biſhop in his Dioceſs might have ordered well enough, *viz.* Triffles about Citations, Proxies, and other ſmall matters.

Danger by the ſtay of Legats in Moreover, their long abode and lingering in Countreys, cannot but be dangerous to the States where they come; becauſe having opportunity to know the ſecrets of the Realm, they beſtow that knowledge

knowledge often times unhappily, being persons imployed in the Realm; more Countreys than one, and often where discovery of such secrets proveth perillous to those Realms; where they have served before. *Nicholas Machiavel*, that great States Man, in his History of *Florence*, noteth of his time, that the most of all the Wars and Garboiles in Christendom, were kindled by the Whisperings of the Popes Legats. *Nich Machiavel History of Florence.*

SECT. 19.

19. It is also proved by the Canon Law, that any Ecclesiastical Suit may be commenced Originally at *Rome*. *Original Suits at Rome.*

This cannot be void of great charges to the Subject, and is very painful to the See of *Rome*: and the Charge lieth not alone in the long travel thither, and tedious Attendance upon that Court, but in the Cumbersomness of many intricate Questions arising upon Commissions, sometimes one crossing another, and sometimes doubtfully penned; sometimes again controlled by colour of wrong Suggestion, and a great number of ways besides, whereof the Decretals are full, and most of them are directed to Bishops of this Realm, which betokeneth that this Plague hath touched our English People more than any other.

The Subjects were constrained to follow the Popes Consistory for their right, and there to waste themselves in Suit, in such wise, that one Case of *England* was thirty years depending in *Rome*, *Ante litem contestatam*, as *Speculator* writeth. And the case between the Archbishop of *Canterbury* and the Archbishop of *York*, for the Controversie whether the Archbishop of *York* might have a Cross born before him within the Dioceis of *Canterbury* (a goodly Matter for Bishops to contend about) did hang many years in the Court of *Rome*. And likewise the Case between the Bishop of *Worcester* and the Abbot of *Evesham*, for the Vale of *Evesham*. The Decretals are full of English Cases, decreed even as the parties found favour in the Court of *Rome*. And the poor Cause of Matrimony of *Cetwood*, did hang in *Rome*, and was reserved there by Act of Parliament, and never was decided. And that very point was the occasion that King *Henry* VIII. did look into the Usurpation of *Rome*; because the Pope would needs Excommunicate the King for not answering in his own Case at *Rome*, as is notably discovered by *Bellay* in his *Memoires*, who was the Ambassador for the French King in *England*, and was sent of purpose to *Rome*, to stay the Excommunication, and could not get six days respite; and yet within these six days the Messenger came with Instructions to have appeased the Matter. *Bellay in Memoires.*

SECT. 20.

Great sums carried out of the Realm for Dispensations.

What infinite Treasure was there carried out of the Realm by the Pope's Collectors, and by Bankers for Bulls and Dispensations, no man can tell. Therefore the French King hath many times made Edicts against the Carrying out of Money for Bulls out of *France*, as of a thing that spoiled the Realm of their Treasure; using the Term *Epuiser les Treasors du Royaume*, as a man doth draw the water of a Well, to dry up the Water.

The Sums that were yearly made of Dispensations and Absolutions in Cases reserved, were infinite; as also of Pardons and Indulgences and other Faculties. It appeareth by the Book of Taxes made for Dispensations in the Reign of *Henry* VIII. that there were found Two hundred and sixteen Letters of Dispensations given by the Pope, and that the Taxe of some of them were Two hundred Marks, of others an Hundred Pounds, *&c.*

Tho. Walsingham fol. 257.

Thomas Walsingham writeth, That in the time of King *Richard* the Second, one *Pilens* the Pope's Legate, made such a Market with Sale of Faculties, that his Officers that were about him in that Service, grew weary of taking Silver; and did not stick to say, *That they had Silver enough, and therefore would not afterwards be paid for their Wares in any Coin but in Gold.*

Matth. Paris fol. 1145. *Anno* 1252.

Robert Grosted Bishop of *Lincoln*, being suspended his Bishoprick for opposing the Pope's Provisions, and trampling them under his feet, caused his Clerks to take a view of all the Spiritual Livings of Aliens in this Realm, and to make a diligent Inquiry to what an Annual Sum they amounted unto; who found them to exceed above Seventy thousand Marks. And it may be easily collected what the Pope's Share was in those Gifts.

What the ordinary Payments were, that were yearly made to the See of *Rome*, he that shall make the strictest Inquisition, shall hardly understand.

SECT. 21.

The Kingdom of *England* being daily oppressed with many intollerable Grievances, and divers new Devices to extort Moneys more than before, in the dayes of King *Henry* the Third, he summoneth a Parliament at *London*, by reason of the Complaints of the English against those Grievances, which they could no longer tollerate without the brand of sluggishness, and their own imminent ruin. Great was the Indignation of the Pope against the miserable English, for that they durst complain against their daily injuries and oppressions in the Council; which he so multiplied, that the English were

ere more vile in his eyes and the Court of *Rome*, than any other en of the remoteſt Nations: Inſolently ſaying, *It is expedient for to compound with the Emperour* Frederick, *that we may trample the tle King of* England *under our Feet, who now kicks with the heel a-inſt us.*

Then the King, the Nobles, Archbiſhops, Biſhops, and Abbots, ew up ſeven Articles in Parliament againſt the Popes Grievances d Oppreſſions:

1. *In Extorting and Collecting ſeveral Sums of Money by General axes and Aſſeſſes, without the Kings Aſſent or Conſent, againſt the an-ent Cuſtoms, Liberties, and Rights of the Realm, and againſt the ppeal and Contradiction of the Proctors of the King and Kingdom made a General Council.*

2. *In kindering Patrons to preſent their Clerks to Vacant Livings, and eſtowing them by Proviſo's on other Roman Clerks, utterly ignorant of the nglish Tongue, to the peril of the peoples ſouls, and impoveriſhing the ealm beyond meaſure, by tranſporting Money out of it.*

3. *In granting Penſions out of Livings by proviſion, and more provi-ion of Benefices than he promiſed, after his Bull againſt them.*

4. *That one* Italian *ſucceeded another, That Subjects cauſes were drawn out of the Realm by the Pope's Authority againſt the Cuſtom of the Realm, againſt the Written Laws; that men ought not to be condemned a-mong their Enemies; and againſt Indulgences granted by his Predeceſſors to the Kings and Realm of* England.

5. *The frequent mention of that infamous word,* Non-obſtante *in his Bulls, by which the Religion of an Oath, ancient Cuſtoms, vigour of Writings, the Eſtabliſhed Authority of Charters, Laws, Priviledges, were debilitated, vaniſhed away; and his not carrying himſelf courte-ouſly towards the Realm, in revoking the plenitude of his power, as he promiſed.*

6. *That in the Benefices of* Italians, *neither their Rights, nor ſuſten-tation of the poor, nor hoſpitality, nor preaching of God's Word, nor the uſeful Ornaments of the Churches, nor Cure of Souls, nor Divine Ser-vices, were performed as they ought to be; and according to the Cuſtom of the Countrey.*

7. *That the Walls of their Houſes fell down, together with their Roofs, and were dilapidated.*

To

To which other Complaints to the King and Parliament againſt the Court of *Rome*, were ſuper-added; which they ſent to the Pope by their reſpective Meſſengers, with five ſeveral Letters, two from the King to the Pope and his Cardinals, a third from all the Archbiſhops and Biſhops, a fourth from all the Abbots and Priors, the fifth from all the Earls and Temporal Lords, ſpeedily to reform all their Grievances, to prevent unavoidable Miſchiefs to the King, the Pope, and the Church of *Rome*, and their revolt from Subjection to them.

They complained, that the Pope demanded Knight-ſervice due only to the King, to Lords from their Tenants, from Prelats and Clergymen, to find him ſo many Horſe or Foot for half a year, or pay a great Ranſom in lieu of it, under pain of Excommunication, which they muſt reveal to no Man. That he granted one years Fruits of all Benefices that fell void within the Province of *Canterbury* to Archbiſhop *Boniface*. That he by ſealed Bulls required the Abbots of the *Ciſtercian* Order in *England*, to ſend him golden Jewels to adorn his Planets and Copes, as if they might be got for nothing. That if any Clerk ſhould from thenceforth die inteſtate, his Goods ſhould be converted to the uſe of the Pope; which he commanded the Friers, Preachers, and Minors, diligently to execute, ſeizing on the Money, Goods, and Plate of three rich Archdeacons, which the King hearing of prohibited; and by the common advice of his Nobles and Prelats in Parliament, iſſued ſeveral ſucceſſive Prohibitions to the Abbot of St. *Albans*, and others, not to pay any Tallage to the Pope or his Agents, before the return of their Meſſengers to *Rome* againſt theſe Grievances, under pain of ſeizing his Barony: and to the Biſhops, not to exact or levy any ſuch Tax, for any Clerk, Religious Perſon, or Lay-man, to the prejudice of his Royal Dignity, againſt his and his Nobles Proviſions in Parliament, which he neither could nor would indure.

The Pope contemned the zealous Letters and memorable Complaints of the King and whole Kingdom againſt his Exactions, requiring the Biſhop of *Norwich* and others to levy a Subſidy for him, at which all were amazed. The King ſummons a new Parliament at *Winton*, concerning the manifold Grievances of the whole Realm, and eſpecially of the Church; wherein the Meſſengers ſent to the Court of *Rome* reported, *That they could diſcern no Humility nor Moderation in the Popes Geſtures or Words, concerning the Oppreſſions wherein the Church and Realm of* England *were grieved, and*

and whereof they complained. That when they expected a pleasing Answer, the Pope told them, *The King of* England, *who now kicks his Heel, and* Frederizeth, *hath his Council, and I have mine, which I will pursue. That from that time scarce any English Man could dispatch any Business in Court; yea, they were all repelled, and reviled as Schismaticks; so as so many Epistles of the King, and the universality of the Nobles and Prelats of the Realm, had no efficiency at all.*

At which Report the King and Nobles being much exasperated the King by their Advice commanded Proclamations to be made through all Countreys, Cities, Boroughs, and Villages of the Realm, that no Prelate, Clerk, or other Person, throughout the Realm, should consent to any Contribution to the Pope, or transmit any Money towards his Aid, or in any wise obey his Papal Commandement: which was accordingly done.

The Pope hearing thereof, wrote to the English Prelats more sharply than before, requiring them *under pain of Excommunication and Suspension, to pay in the Aid he demanded to his Nuncio in the* New Temple *before the Feast of Assumption.* Hereupon the King was so terrified with the Popes Menaces, that he and the Richest Prelats complied with his Designs, paying 6000 Marks to the Pope, to the great impoverishing of the Realm; which was transported by the Pope's *Nuncio* and Merchants, to aid the *Landgrave* against the Emperor *Frederick*; part whereof he intercepting, grievously reprehended the Effeminacy of the English, and of *Richard* Earl of *Cornwall*, for yielding to the Popes party, to the Destruction of the Realm of *England*, and detriment of the Empire.

The Pope intended to have interdicted the Realm of *England*, had they not paid his 6000 Marks, and the King by his *Nuncio's* signified his Compliance to it. Now all the consolation and hope of relieving the English, expired; their Enemies being their Judges.

SECT. 22.

22. Hereunto I shall add what I found in an Ancient Manuscript, which briefly gives us an account of what things were heretofore beneficial to the Court of *Rome*, and prejudicial to the Realm of *England*; which are as followeth:

1. *The procuring of Favour for all manner of Faculties, and Dispensations at* Rome.

2. *The ordinary Fees for Dispensations and Faculties, besides Expences in suing out the same.*

3. *The*

3. *The kinds of Faculties and Dispensations, that in the beginning of Queen* Elizabeths *Reign, appeared in the Book of Faculties, remaining then with the Queens Clerk of the Faculties.*

4. *The stranger the Faculty and Dispensation was, which was sued for, the dearer was the Favour and Fees that were paid for the same.*

5. *The Gift of all Bishopricks, Abbeys, Monasteries,* &c. *in* England, *whereof the present Incumbent died in the Court of* Rome.

6. *The Provisions procured from* Rome *for the best Bishopricks, Abbeys,* &c. *when they fell void, or were voidable by the Law.*

7. *The Appellations to* Rome, *to stay all ordinary Law and Justice of Courts.*

8. *The Citations from* Rome, *in arrest of Judgment procured from* Rome, *when Men knew or suspected the Law would pass against them.*

9. *The Bishops Suit at* Rome *for their Pall.*

10. *The Abbots Suit at* Rome *for the confirmation of their Elections.*

11. *The prefering of Strangers to the best Promotions of the Realm (as hath been largely shewn before.)*

12. *The procuring of Bulls by Bishops, Abbots, Priors, and Colledges, to be out of the Kings Visitation and Prerogative.*

13. *The First-fruits and Tenths of all Spiritual Promotions. The First fruits of vacant Benefices were granted by Pope* Innocent IV. *to Archbishop* Boniface *for seven years, to raise Ten thousand Marks, to pay pretended Debts of the Bishoprick; an unheard of Innovation in* England; *opposed by the Bishops, Nobles, and the King at first; yet inforced by Excommunications. But the Benefices of Noblemens, and Lay-mens Patronage, and the King's free Chappels, were exempted from them by Order of Parliament, and the Kings Writs.*

14. Peter-pence *granted by the Kings* Ina *and* Offa *to the English School at* Rome, *not to St.* Peter; *called* Peter-Pence, *because payable upon St.* Peter's *day, excepted in King* John's *Charter to the Pope, frequently demanded by the Popes. Granted to St.* Albans *Abbey by King* Offa, *confirmed since by Popes Bulls.*

Sleidan's Comment. lib. 15.

15. *The strange number and kinds of Pardons, to allure all sorts of People to take and purchase them. Frier* Tecel, *to set forth the glory and prevalency of the Popes Pardons (whereof he was the Peddler in* Germany) *for the comfort and incouragement of Harlots and Whoremongers, so far forgot the Honour and Reverence he should have given to the chaste Virgin* Mary, *that he impiously averred, If a Man had lain with our Blessed Lady, the Mother of Christ, and gotten her with-child, yet the Popes Pardon was able to set him free from this Offence.*

Pardon

Pardons were granted from the Pope for Eighty two thousand years, for saying a short Prayer at Christs Sepulchre in Venice, toties quoties. *For saying every* Ave Maria *in our Ladies Crown, consisting of* 63 Aves, *two hundred eighty eight days Pardon of all sins; and every Holy* Mary *in it* 40 *days Pardon: and for saying the whole Crown of* 63 Aves, *and* 12 Pater-nosters, *by several Popes Indulgences, Two hundred seventy three thousand, seven hundred fifty eight days of Pardon. And by the Bull of Pope* Sixtus IV. *Twelve thousand years of Pardon for every time any Person in the State of Grace, shall say this Prayer:* Hail most holy *Mary*, Mother of God, Queen of Heaven, Gate of Paradice, Lady of the World, Singular and Pure; Thou art a Virgin, thou hast conceived Christ without sin: Thou hast brought forth the Creator and Saviour of the World, in whom I doubt not; Deliver me from all Evil, and pray for my Sins. *Amen.* *Bernardinus de Busti Martiale.* part 1.

Here I shall present you with some Indulgences granted by Pope Gregory XIII. *at the instance of the Popish Bishop of St.* Asaph, *in favour of one Mr.* John Swynborn *an English man, the last day of* March 1574.

1. WHosoever having one of these blessed Grains or Beads *(viz some consecrated Grains and Beads sent by the Pope)* among his other Beads; and shall (being confessed and communicated) say over his Beads, or the Rosary; or shall read the passion of Christ our Saviour; or say the Seven Psalms with the Letanies, praying for the Pope's Holiness, or for the Unity of the whole Common-wealth of Princes and Christian people, with the See Apostolick, and for the Reduction of the Hereticks Septentrional; shall for every time obtain full Remission of their Sins, as is granted in the Holy Wars against Infidels.

2. And in the days of the Conception, Nativity, Annunciation, Visitation, Purification, and Assumption of Our Blessed Lady, being confessed and communicated; and saying over your Beads, or the Office of our Lady; and praying for the Reduction of the Hereticks of *England* and other Countries Septentrional; shall obtain in every the above-named days, all the Indulgences that be granted to our Lady of *Loretto*, of *Monteserato*, of St. *Angelo*, and of *Sta. Maria Maggiore* of *Rome*, and any other Churches of our Lady in the whole World.

3. And so often as any having Contrition of their Sins, shall devoutly hear Mass, or Sermon, or say the *Ave Mary* in the Morning,

ing, Mid-day, and at Night, when the Bell tolleth, they being bare-headed, and kneeling upon their Knees; or ſhall bear with them three Beads at their Girdle, or other place open to be ſeen, or ſhall do reverence to the Image of the Croſs, of our Lady, or any other Saint; or ſhall examine their Conſcience at Night before they go to ſleep: or ſhall, going in or out of the Church, or their Chamber, take Holy Water; or perſwade or move others to do the ſame; or ſhall charitably reprehend Blaſphemers and other Sinners, ſhall for every time ſo doing obtain an hundred years of Indulgences.

4. And ſuch as ſhall teach the Ignorant the Matters of the Faith, according to his or their Eſtate; or openly defend in every place the Catholick Church, by Writing, Catechiſing, Preaching, or by any other means, they then ſhall obtain thereby the third part of their ſins to be forgiven.

5. Alſo thrice in a mans life-time, after he ſhall have faſted three days, and ſaid over the whole *Pſalter*, and his Beads once; or given ſufficient Alms, or done ſome other good Deed equivalent; making to a Confeſſor appointed by his Ordinary, or Superiour, a general Confeſſion (that is) either of his whole life, or of that which is paſſed ſince his laſt general Confeſſion was made; and being communicated, ſhall obtain thereby full remiſſion of all his other ſins.

6. Moreover, every day in *Lent*, ſaying over with Devotion and Contrition of Heart, and Deſire of the Increaſing of the Holy Faith, his Beads, Faſting alſo if he may, otherwiſe praying, or doing ſome other Charitable Works, according to his Confeſſors Counſel, ſhall obtain therefore all the ſtations of *Rome* day by day, as they be appointed in divers Churches thorowout the whole year.

7. Moreover, Every Friday of the Moneth of *March*, and in the days of the *Invention* and *Exaltation of the Croſs*, ſaying over the *Corona*, or Beads; or the Office of the Croſs; and upon *Good-Friday* the Seven Pſalms with the Litanies, being confeſſed; or having purpoſed to be confeſt, as ſoon as they may; ſhall obtain therefore all the Indulgences of the Holy Sepulchre at *Jeruſalem*, of St *Croſs* in *Rome*, of the Holy Chappel in *Paris*, and all the places where any Reliques be of our Saviour Chriſt's Paſſion.

8. *Item*, Upon *All ſouls* day ſaying over the Beads with Contrition, and being preſent at the Service ſaid for the Departed out of this Life, or (at the leaſt) hearing a Maſs; or ſaying over, or cauſing one to be ſaid, ſhall deliver one ſoul out of the Pains of *Purgatory*. Every Monday alſo, he that ſaith over his Beads or *Dirige*, for

for the Departed out of this Life, ſhall obtain the ſame Indulgences which be obtained in *Rome* for Viſiting Holy places for that purpoſe.

9. *Item*, Every Sunday and Friday, ſaying over the Beads for the increaſe of all Orders of Religion, of Cathedral Churches, Cural and others, namely *Tramontaines*, they ſhall be partakers of all the Prayers and Sacrifices of the ſame, as though they were corporally preſent with them; praying alſo for the *Indans* and parts without *Europe*, they ſhall be partakers of their well-doing, which travel in thoſe Countreys in the Vineyard of God.

10. *Item*, It is granted, That for once or twice, an Unhallowed Grain or Bead may be put in the place of an Hallowed Bead or Grain, if it be loſt or broken; and have the ſame Indulgences.

The Concluſion is in this manner, *Laus Deo*, *Virginique Matri*, Praiſe be to God, and the Virgin-Mother.

16. Hereto may be added the Special Pardons and Bulls given to ſpecial Places of Pilgrimage, and the advancing of new found Miracles and Pilgrimages, with new granted Bulls and Pardons. There is no Church of note among them, no notorious Image, to which Men go on Pilgrimage, no Author of any new Sect, ſcarce any Religious Houſe, which is not famous by one or more pretended Miracles.

If a man will trouble himſelf to read the Lives of their Saints, their Legends, and Books of the like nature, he ſhall tire out himſelf with the Reports of Miracles, far more ſtrange than we can read of any in the Scripture.

Bellarmine glorieth in the daily Tydings of Miracles wrought by the Jeſuits, which are brought to *Rome*. Large Narrations are of the Miracles of *Navierius* a famous Jeſuite; of our Lady of *Montaign*, of our Lady of *Hall* in the *Low Countries*, and of many other ſuch Idols. Almoſt a mans life were too little to read over all of this kind, and now more multiplied than ever heretofore.

And we may ſuſpect their Miracles, when divers of their own Authors have called in queſtion the truth of them. *Lyranus* ſaith, *That people are much deceived by Miracles made by Prieſts and their Fellows for worldly gain.* *Alexander Hales* a great Schoolman, ſaith, *That they make ſometime Fleſh to appear in the Sacrament*; *partly*, Humana procuratione, interdum operatione Diabolica: *by humane procurement, and ſometimes by the working of the Devil.* And *Claudius Eſpencæus*, ſometime Biſhop of *Paris*, ſaith, *No ſtable is ſo full of*

dung

dung, as their Legends are of Fables in this kind. And *Canus* in his Common Places saith, *That in the Legend a man shall read* Monstra Miraculorum. Thus I say, *The words of divers eminent Men of their own side, do make us suspect their Miracles to be but Tales.*

Many of the things themselves in common conceiving are ridiculous; as that old Tale of St. *Dionysius*, that carried his Head in his hand after it was strucken off: Of *Clement* the First, that when he was cast into the Sea with a Millstone about his Neck, the Sea fled three miles from the Shore, and there was found a little Chappel ready built in the Sea; where his Body was Bestowed.

I have also read of another, who stuck his Staff down by him at the Bank-side, which kept the River from over-flowing the Banks; and soon after it sprang up, and spread it self into a mighty Tree. There are a world of such Tales, enough to weary any one to recite them. And yet even such as these had Bulls and Indulgences granted to them.

17. The special Jurisdictions and Exemptions that one Bishop and Abbot procured above another.

18. Their providing that no Condemned Clerk might be Executed.

SECT. 23.

In this state (as hath been expressed) this Realm stood (for the most part) by the space of 300 years after the Conquest: The times that followed were somewhat freed from certain degrees of the Popes Tyranny, by reason that the Kings of this Realm armed themselves with Laws made in defence of some of their ancient Liberties, and Executed others with better Courage than their Predecessors.

But I doubt, if God for our sins should cast us again under his Yoke, none of those Laws would save us from the extreamest of all those mischiefs which I have here set down. My Reasons are,

1. The Popes are no Changelings, but were the same after those Statutes, and are the same men that they were before, and to put us out of doubt, made continual claim to their Usurped Authority in the time of the later Princes.

For in the Reign of King *Henry* V. Pope *Martin* the Fifth sent to levy a Subsidy upon the Clergy of this Land, for maintenance of his Wars against the *Bohemians*. And he made *Henry Beaufort* the rich Cardinal of *Winchester* his Legat for these Wars, who did valiantly there for certain moneths together, assisted with the foresaid Subsidy, until he was re-called by the Pope.

And two other Subsidies were afterwards required, to persecute

two

o private perſons of this Realm; *viz.* *Peter Clerk*, and *william Ruſ-* *Fox.* Acts and Monuments.
In the time of King *Henry* VI. the Cardinal of *Wincheſter*, notwith-
nding the Statute againſt Proviſion, procured the Popes Bull to
e again his Biſhoprick of *Wincheſter*, which he had loſt by his Car-
alſhip; and after obtained a Pardon from the Pope againſt the pe-
ty of the Statute.

And in the ſame Prince's Reign, *Lewes* Archbiſhop of *Roan*, after
death of the Biſhop of *Ely*, had all the Fruits and Revenues of
t Biſhoprick granted unto him during life; but was therein re-
ed by the King. Other Examples there be of like ſort.

2. In the laſt Council of *Trent*, there is a ſpecial Conſtitution for *Concil. Trident. Seſſ.* 5. c. 18.
eſtitution of all Eccleſiaſtical Liberties; and therein the Emperour,
Kings, Princes, and States, are commanded that they ſee them
otected.

The Title of Eccleſiaſtical Liberties, reacheth to every of the
ints before touched, and therefore we may conjecture what
are to look for.

3. The Pope yearly publiſheth one Excommunication, which is
led *Bulla de Cœna*, wherein by Name are compriſed all that
any let to ſuch as would proſecute any Suit at *Rome*; or that
fer not the Popes Bulls, Commiſſions, and other Proceſſes
atſoever, to be executed. And all that execute any Statutes, De-
gative to the Liberties of *Rome*, be the cuſtom to the contrary
ver ſo ancient; and ſuch as impoſe Tenths, Subſidies upon the
ergy, or receive them at their hands with good conſent, ex-
ot the Pope allow thereof; and thoſe alſo which force any Ec-
ſiaſtical Perſon to anſwer before them in Criminal Cauſes, be-
Lay-Judges, *&c.* So ſaith *Martinus ab Azpil*, *in Enchyridion*;
27. Which Book was made by the ſpecial Commandement of
ope *Gregory* XIII. The warning given us by Bulls publiſhed in
neen *Elizabeths* Reign, aſſureth us that if he may have place
ain, he meaneth not to dally with us.

4. Some of our unnatural Countrey-men in ſome deſperate Books
theirs, long ſince caſt abroad againſt the Execution of Juſtice,
ve not ſpared to tell us, that the Laws made in Catholick
nes, *viz.* the Statute of *Præmunire*, and ſome other, were bad
ws, and not to be allowed. And again, there were found
on ſome which came in Queen *Elizabeths* time to diſturb the
ace of this Realm, ſmall Pamphlets, containing Directions (as
ey would have them taken) for Mens Conſciences, wherein they
livered many things to trouble thoſe perſons whoſe Conſciences

were

were poſſibly in thoſe Points ſtayed, in confidence of the A
Laws of this Realm, and upon ſome Grants made by the P
himſelf.

5. The Pope hath challenged a Soveraignty over this Realm,
beſtow it where he liſteth, as feudary unto himſelf, having f
merly received a Tribute, *viz.* The *Peter-pence*, which was
times of Popery of every Houſe a penny. Whereby *Bodin* in
Book *de Republica*, argueth, that the Realm of *England* is not
Soveraign Eſtate; not to ſpeak of the yearly Tribute paid unto t
Pope by King *John*, and ſome other Princes his Succeſſors. T
may ſerve the Pope for a mean to bridle all the Old Statutes a
the Liberties of our Countrey, and to ſpoil the Prince of all
Prerogatives. We know how he dealt with *Sicily* and *Naple*
long agone; wherein it were an hard matter for the proudeſt
his ſide to juſtifie his Title: And that he hath put out, and put
Kings at his will, and ſometime offered their Kingdoms to ſal
And from King *Henry* the Third, by the ſhadow of a bare Titl
the Pope got infinite ſums of Money, to the great exhauſting
his Treaſure, and impoveriſhing of the Realm.

When *Stukeley* and *Fitz-moris* were at *Rome*, they and the Po
practiced to give this Realm in Prey, as he did the Kingdom
Navarre, and the Empire from the Emperor *Frederick*, and alſo
get an Inveſtiture of the Realm of *Ireland* from the Pope, as of
Soveraign; but they could not agree upon whom the Pope ſhou
beſtow that Realm.

FINIS.